

Defunding the Police:

# **Defining the Way Forward for HRM**



# Acknowledgements

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# Executive Summary

## Chapter 1

In Chapter 1, we discuss the genesis of the Subcommittee and elaborate on some of the substantive arguments that shape debates around defunding. We discuss the policy lenses we have used to produce this report, which include a health and disability lens, an Africentric lens, and an Indigenous and Mi'kmaw-led models.

## Chapter 2

In Chapter 2, we provide background regarding:

1. policing in HRM;
2. approaches to public safety in the HRM; and
3. the history of the movement to “defund the police” in the HRM.

We explain how the police are governed, identify that our per capita spending on the HRP exceeds many other cities' spending, and discuss how the police spend their time based on data they provided us and from Statistics Canada.

## Chapter 3A

In Chapter 3(a), we provide the results of our public survey and our online consultation session. 2351 responses were received to the Subcommittee's online survey, 19 individuals provided presentations, and 8 organizations provided written submissions. 56.8% of participants in our survey (1308) indicated support for the idea of defunding the police, while 43.2% of respondents (996) did not. Support for defunding was much higher amongst women and gender diverse folks than amongst men.

## Chapter 3B

Chapter 3(b) details the results from a submission from the National Police Federation (“NPF”), which is the union that represents the RCMP around Canada. Two report authors then had a followup meeting with representatives from the NPF. While the NPF takes a strong stance against defunding, there are nonetheless shared areas of agreement and concern about the inadequate funding of social services; the use of police to fill roles that could more appropriately be filled by service providers; the need for increased diversion from criminal systems for those experiencing mental health crises; and the complex problem of the police responses to unhoused people. We discuss these commonalities as well as important differences of opinion.

## Chapter 4

In Chapter 4, we lay out the “framework” for this report’s definition of defunding in Halifax Regional Municipality as a foundation for the rest of the report. We conclude, based on our research and consultation, that there are four “pillars” of defunding:

1. Reforms to police practices, oversight, and accountability;
2. Reforms aimed at “detasking” police and “retasking” more appropriate community service providers;
3. Legislative, regulatory, and policy reforms intended to promote community safety; and
4. Financial reforms aimed at tying police budgets to clear performance metrics and encouraging public participation in municipal budgeting, with the ultimate intention of decreasing budgetary allocations to police and increasing allocations to community-based social services.

## Chapter 5

In Chapter 5, we discuss reforms to police practices, oversight and accountability. Rather than recommend that the police do more training, we stress the need to evaluate existing training to see whether it’s actually working and also examine how decisions regarding training are made. We recommend a full-scale review of all lethal and non-lethal use of force options available to police, with the aim of reducing use of force and disarming some officers (such as community response officers). We recommend that police policies be available to the public. We argue the Board is failing to adequately govern the police and make recommendations to improve this situation. We recommend that the Board abandon plans to implement body cams and push for meaningful accountability by advocating for progressive changes to the provincial Police Act.

## Chapter 6

In Chapter 6, we define what detasking is, then recommend that the city consider options to either partially or fully detask:

1. responding to incidents involving unhoused persons;
2. responding to incidents involving young persons;
3. responding to incidents of gender-based and intimate-partner violence;
4. responding to overdoses; and
5. responding to noise complaints.

## Chapter 6A

In Chapter 6(a), we discuss the Mobile Mental Health Crisis Team in HRM, which pairs police and clinical staff, then overview different approaches Canadian and American municipalities are taking to move toward civilian-led mental health crisis response. We recommend that Regional Council, in cooperation with the Police Board, divert the majority of crisis calls to non-police-involved teams.

## Chapter 6B

In Chapter 6(b), we discuss different approaches municipalities are taking to remove police from the enforcement of motor vehicle offences and otherwise promote safety on the road. We recommend that the city continue to invest in public transit and traffic calming measures, advocate for the province to reduce the speed limit in residential area from 50 to 40 kilometers per hour, develop a civilian team to enforce motor vehicle offences and traffic-related bylaws and handle road closures for street events and protests and parades, and invest in speed and red light cameras.

## Chapter 6C

In Chapter 6(c), we overview third party reporting programs around Canada, which allow those who have been impacted by sexual violence to report the assault to a non-police community organization. We recommend that the HRM create a third party reporting program and address funding gaps in sexual assault prevention and response services in the municipality through the creation of a grant program.

## Chapter 7

In Chapter 7, we focus our recommendations to go beyond policing and towards broader social reforms. We focus primarily on mental health and substance use services, affordable housing, and promoting public engagement in municipal budgeting. We recommend that the HRM convene a working group to provide advice on developing a health- and social equity-based approach to drug decriminalization and also establish a grant program for registered non-profit or charitable organizations in order to promote access to mental health and substance use services. In terms of housing, we recommend that HRM uses a human-rights based-approach in developing its strategy to affordable housing and homelessness, and that the Municipality also significantly increase its investment in affordable housing in line with other jurisdictions in the region. In terms of the budget, we recommend that HRM align their per capita spending on the HRP (\$393 in 2020) with other peer cities such as London, Ontario (\$272 in 2020), and tie the approval of the annual budget to performance metrics. Finally, we recommend that the city establish participatory budgeting processes to let the public decide how to redistribute funds taken from the police budget.





# Chapter 1:

Introduction

# Introduction

On May 25, 2020, Minneapolis police officer Derek Chauvin knelt on the neck of George Floyd for 9 minutes and 29 seconds. The video of Floyd’s murder, viewed around the world, prompted mass protests.

In Canada, the deaths of Regis Korchinski-Paquet, Chantel Moore, Rodney Levi, D’Andre Campbell and other Black and Indigenous people during wellness checks led to rising criticism of police involvement in mental health calls and prompted questions about the role and function of police.

Many protests focused on the idea of “defunding the police,” with more than 70 events taking place in Canada over the summer of 2020. According to Black scholar and author Robyn Maynard, defunding is:

[A] broad based strategy being taken up as part of a wider struggle to end endemic anti-Black racism and anti-Indigenous racism. This movement emerges both from the current moment of Black-led multiracial protests and emerges from previous generations of Black struggle against the racial violence endemic to policing. It comes from multiple generations of Black feminists on the frontlines of grassroots struggle, Black elementary and high school students wanting to feel safe in their schools, and incarcerated people in jails, prisons, and immigration detention. It is a call to create a society based in care rather than in carceral conditions.<sup>1</sup>

Many advocates of defunding the police recognize that it is part of a longer-term struggle to move society away from relying on punishment to deal with social issues. At root, the conversation around **defunding calls for us to consider where we as a society put our money, recognizing that we resource the things that we value.** While many people think of defunding solely as a model that proposes “taking away” resources from police, it is more constructively understood as one that advocates for returning funds to socially-based programs and resources that have been removed over decades of austerity-based economic and social policy. **Defunding asks us to consider whether there are better, more effective options for addressing and intervening to address crime and social harm.**

As Maynard observes, the defunding movement, while primarily focused on police forces, also recognizes that policing and punishment takes place at a number of sites of containment and control, including the border, schools, child welfare, forensics facilities, youth jails, and group homes. It encompasses not only police activities such as street checks and cases of brutality and violence, but also recognizes that surveillance and criminalization occur to people in places of so-called care, including schools and hospitals.

While this report focuses primarily on police forces in the Halifax Regional Municipality, we recognize that people most vulnerable to policing often experience marginalization and violence at multiple sites and often have repeated contact with carceral systems throughout their lives. **Factors including race, gender, poverty, mental illness, disability, being unhoused, being a person who uses drugs, being a sex worker, citizenship status, and 2SLGBTQ+ identities are more likely to expose people to harm from policing.**

It must also be acknowledged that this report is only the latest in a long string of reports on racial justice issues in Halifax, including Dr. Scot Wortley’s *Street Checks Report* (2019), the *BLAC Report on Education* (1994), the *Report by the Advisory Group on Race Relations* (1991) and the *Royal Commission on the Donald Marshall Jr.*



*Prosecution* (1989). We come to this report in debt to the work that has come before us, and also mindful that many of the issues and recommendations raised in this report have long been voiced by experts, advocates, and communities.

# The Police Board

## Definition of Defunding

On July 9, 2020, a staff motion at the Halifax Board of Police Commissioners proposed the following definition of defunding the police after significant community attention and mobilization around the topic:

**Motion:** That the Halifax Board of Police Commissioners adopt a definition of defunding the police that supports a role for policing in HRM that includes:

- Police performing policing functions
- Appropriate resources to perform non-police functions
- Investment in resources that have been proven to support community risks and promote crime prevention.<sup>2</sup>

The Nova Scotia Policing Policy Working Group<sup>3</sup> submitted a letter to the Board of Police Commissioners contesting the utility of this definition, arguing that:

In particular, we seek clarity around the phrase “Police performing policing functions.” This is a circular definition: by nature, any function performed by the police becomes a “policing function.” It is also unclear how “support[ing] a role in policing that includes...investment in resources” is in any way defunding: by the structure of the motion, this definition in fact appears to support further resources for policing.<sup>4</sup>

The discussion about the definition and the subsequent motion indicated the need for further clarification regarding the current discourse on defunding, and a critical consideration of concepts such as public safety that may be assumed to have commonly understood definitions but that, in practice, often vary widely. The Board subsequently passed a modified form of the motion and facilitated the creation of this Committee. That motion read:

That the Halifax Board of Police Commissioners appoint a community advisory committee to assist in adopting a definition of defunding the police, and that the committee present this definition at a future meeting of the board for further discussion and debate. Further, the definition of defunding the police should be based on the following:

- Police performing core policing functions
- Allocating appropriate resources to perform non-police functions
- And investing in resources that have been proven to support community risks and promote crime prevention.<sup>5</sup>

# Conversations About Defunding

While many people were first introduced to the idea of defunding the police in 2020, the idea has been around for many years and has its roots in the work of Black and Indigenous scholars and activists building a framework for “creating lasting alternatives to punishment and imprisonment.”<sup>6</sup>

In the most basic sense, defunding is in part exactly what it sounds like: removing money from the police. More broadly, it is part of a discussion about reimagining public safety and moving away from relying on policing and punishment to solve social problems.

Prof. Jessica M. Eaglin explains that: “[t]o defund the police can refer to a long-term policy aim to abolish the police, to recalibrate what police do in society, to create accountability measures through conditional funding, or simply to save government resources.”<sup>7</sup> While these definitions may overlap in practice, they each carry a distinct set of goals and assumptions.

Generally speaking, defunding is “a call to decrease police budgets, size, scope, and power while investing into alternative community safety models and wellbeing services (anti-homelessness, healthcare, education, drug rehabilitation, affordable housing, etc.).”<sup>8</sup>

**The process of defunding is about identifying roles or functions of the police that they are not equipped to do, and transferring those tasks to the appropriate service provider, agency, or organization.** This process is also referred to as “detasking.”

Among the main areas emphasized with respect to detasking the police are:

- responding to people in mental health crisis,
- addressing issues of poverty and homelessness,
- the removal of police officers from schools,
- the policing of illegal drug use, and
- traffic enforcement.

Along with this shift in responsibilities would be an associated reallocation of funds.<sup>9</sup>

Defunding advocates also emphasize the need for robust police oversight and accountability, and the strengthening of external bodies in charge of monitoring police forces.

Many advocates raise specific concerns about police budgets going to greater armament of the police, such as the community concerns in Halifax about the purchasing of an armoured vehicle by the Halifax Regional Police.<sup>10</sup>

More broadly, **defunding is “is about transitioning not only funding, but power, equipment, and force away from forces of state violence and repression and committing to invest, instead, in community-centred forms of safety.** It is part of a broader abolitionist vision for addressing the root causes of harm and violence in our societies instead of policing them.”<sup>11</sup>

Among defunding advocates, there is no total consensus about the end goal of defunding. Some advocates emphasize detasking and shifting funds to social service organizations, leaving the police to address crime. Others envision a future entirely divested from modern policing.

Finally, advocates of defunding focus on the idea that police are ill-equipped to prevent crime and should not be expected to solve complex social problems. **Policing — and the use of force — does not prevent harm, often does not meet the needs of victims (particularly in cases of sexual assault or domestic violence), and does not adequately rehabilitate or reintegrate those who have caused harm.** Advocates speak to the need for sustainable and long-term solutions to harm that address the root causes of crime, that keeps communities safe, and that reduces our need for policing by offering resources for treatment and healing.

Defunding is thus not only about removal of funds from police, but also about investing in social structures and organizations and creating separate, new models of safety based in communities and their concerns.

## Defunding as Political Debate

It cannot be ignored that discourse around defunding is deeply politicized. Discourses about police and policing are not solely about the technicalities or minutia of police operations. They are also about broader social narratives around crime and who commits it, social order and discipline, ideas of containment and control (such as the stigma against people suffering from mental health problems or homelessness and the impetus to keep these problems hidden or away from “the public” who feel discomfort), racialized narratives about threat and danger, fears about immigration, and so on.

On all sides of the debate, other social ideas are connected to how we think about police and how we envision solutions. For example, Indigenous and Black communities as well as communities of colour are more likely to be critical of the police, to not trust policing, and to have had negative experiences with police.<sup>12</sup>

To cut through the debate, this report strives to provide clear and well-researched policy advice that focuses on evidence instead of slogans, in the hope of improving community safety in HRM.

***“I hate the phrase. It’s insulting to police. I’m not sure they have enough resources to lose any of them to other organizations. That doesn’t mean those other organizations shouldn’t be supported.”***

*“Diverting a substantial portion of the police budget to other community services which help people in need of additional supports, justice, and equity. It is a commitment to actions which prevent crimes from ever happening, but addressing the needs of people who are most vulnerable. It is a move away from a punitive vision of justice, to a vision of justice that is centered around an ethic of care.”*

# Defunding vs. Reform

Why not just reform the police? Many opponents of defunding the police still support some kinds of reform or changes to current policing policy and practice.

Police reform measures proposed to counter incidents of racial profiling, brutality, and deaths by police include having police wear body cameras; requiring the police to undergo more training in diversity and unconscious bias; hiring more police officers from racialized or disadvantaged communities; and strengthening police accountability measures.

Advocates of defunding begin from the idea that policing is a system of social control and discipline used to uphold the dominant social order. What this means is that **policing also reflects social inequality**. Black and Indigenous people, people living in poverty, people living with disabilities and mental illness, people who use drugs, people living houseless or on the streets, 2SLGBTQ+ people, sex workers, and other groups seen as living outside “respectable” society and/or facing social stigma are more likely to face the impacts of policing such as racial profiling, increased surveillance and police presence in neighbourhoods, and being stopped and questioned by police, and are more likely to be criminalized and punished.

Due to social and political shifts in the 1970s, 1980s, and 1990s, fuelled by the so-called War on Drugs, austerity-based economic policies, the rise of 24-hour news channels that fuelled increased reporting on crime, demographic shifts between urban spaces and the suburbs, worsening social and economic outcomes for working class people, and other factors, across developed countries including Canada, the U.S., the U.K. and others, we have seen substantial increases to police budgets, arming police with more and more powerful weapons, expanded technology for surveillance, and a rise in the number of incarcerated people.<sup>13</sup>

This shifting of funds to police has been accompanied by what University of British Columbia law scholar Debra Parkes calls an expanding “punishment agenda” marked by more investment in police services, prison expansion (building more and bigger prisons), longer sentences and more minimum sentences, and cuts to rehabilitative, educational, and employment programs.<sup>14</sup> These shifts to bolstering punishment and policing have taken place under governments of all political orientations.

Where defunding differs from reform is in its diagnosis of the limits of policing. While advocates for reform believe in preserving the status quo of policing — relying on police to enforce the law, maintaining armed police, investing in policing budgets, etc. — **advocates for defunding suggest changing the fundamental structures of policing, and rethinking the role of police in society**. For example, proponents of reform may argue for more community-based officers on the ground to address the needs of community and more officers from disadvantaged and racialized communities:

*“School resource officers are amazing, community constables are amazing as well. And seeing officers around my community and children’s schools certainly contribute to public safety and well being.”*

*“The job description of ‘Police’ is too wide and in no way can a person be an effective worker when too many specialties are needed to perform a job safely and effectively. The only solution to this is to defund current inefficient, oppressive, and wasteful police budgets and redefine their role in society and using the save funds to empower communities to safely aid and protect their community members.”*

Defunding advocates argue that community service organizations should be provided with resources instead:

In the words of the Equal Justice Society: “‘abolitionist reforms’...include calls to decrease police funding, withhold pensions, hold officers personally responsible for misconduct settlements, not rehire officers accused of excessive force, etc. By contrast, ‘reformist reforms’ are those that increase funding to police, emphasize individual accountability, and generally expand existing policing.”<sup>15</sup>

In short, defunding differs from reformist ideas in its broader social vision. Problems with the police are seen in relation to broader social narratives and practices around punishment. While reform focuses on making specific changes to police policies, practices, hiring, etc, defunding focuses on shifting social narratives around policing and the idea that only the police keep our communities safe.

# Common Concerns About Defunding: Increased Crime

Any process that seriously engages with defunding must confront the question of crime and enforcement. The main public concern around defunding revolves around the idea that without police, crime will increase. If police were removed from the enforcement of crime, that also raises questions of what, if anything, would replace law enforcement. How would a society without police, or with a radically reduced police force, prevent crime, punish wrongdoing, and deal with harm?

***“No one wants to live in a society with no defenses, in anarchy. It is scary and stressful. There are people who currently keep law enforcement busy, so imagine a society with no law enforcement?! Who would we call for help? Who would work with those who need to be arrested, supervised, etc.?”***

Proposals to defund the police must also reckon with the broader infrastructures around policing. For example, if police tasks are to be allocated differently, dispatch and assignment of calls, etc. must also be restructured. Thus, any process to defund the police must also address the many ways police are embedded in multiple institutions across society.

For opponents of defunding, the central issue is that police forces are already overtasked and overstretched. Police are expected to intervene in violent, disturbing, and challenging situations. Officers experience traumatic encounters, and many are left with PTSD and other mental and physical health effects. In addition, rising concerns about racial profiling, systemic racism, the treatment of people on mental health calls, increased scrutiny of deaths by police, etc. mean that police are contending with incredibly complex situations while facing public scrutiny if they get it wrong. If resources are removed from police forces, how can they be expected

to do their job?

This report aims to offer a meaningful response to these and other concerns. By taking a multiscale approach to thinking about defunding, this report will provide meaningful definition to a broad-based model of community safety that seeks to reconceptualize how our community prevents and manages crime.

# Perspectives for Rethinking the Role of Policing

Conceptualizing defunding requires us to move away from a “punishment lens” that relies on policing. We propose three perspectives that help us conceptualize our approaches to safety in new ways. Throughout this report, we have been guided by these models in framing our discussion and recommendations. Below, we include a brief overview of these lenses. We encourage the Halifax Board of Police Commissioners to engage with and centre members from these communities and experts.

## Indigenous and Mi’kmaw-Led Models

Canada’s national crisis of murdered and missing Indigenous women and girls highlights the “long-standing problem with both societal and institutional racism against Indigenous peoples, especially within the justice system.”<sup>16</sup> As Mi’kmaw scholar Dr. Pamela Palmater observes:

Numerous national inquiries, commissions, and investigations have all concluded that every level of the justice system has failed Indigenous peoples. More recent inquiries indicate that racism against Indigenous peoples is particularly problematic in police forces in Canada. Yet, despite the evidence, **little has been done in Canada to act on the recommendations.** This has resulted in the over-incarceration of Indigenous peoples, numerous deaths of Indigenous peoples in police custody, and the national crisis of thousands of murdered and missing Indigenous women and girls...The lesser-known problem of police-involved racialized and sexualized abuse and violence against Indigenous women and girls [is] a root cause of the large numbers of murdered and missing Indigenous women and girls in Canada.<sup>17</sup>

The policing of Indigenous peoples in Canada is a continuation of settler-colonialist practices of genocide, dispossession, and removal. Numerous Indigenous scholars, writers, and activists tie prisons and policing to settler-colonial histories of clearance, control, and genocide of Indigenous people.<sup>18</sup> **Policing of Indigenous peoples and communities also intersects with environmental racism and the criminalization of front-line land and water defenders.** According to Mississauga Nishnaabeg scholar Dr. Leanne Betasamosake Simpson:

I understand settler colonialism’s present structure as one that is formed and maintained by a series of processes for the purposes of dispossessing....I experience it as a gendered structure



and a series of complex and overlapping processes that work together as a cohort to maintain the structure. The structure is one of perpetual disappearance of Indigenous bodies for perpetual territorial acquisition, to use Patrick Wolfe's phrase.<sup>19</sup>

M'ikmaw legal scholar Naiomi Metallic observes:

It bears emphasizing that this notion of formal equality (i.e., "I treat everyone the same," "I am colour-blind," etc.) is woefully outdated...The principle of substantive equality respects and celebrates differences, recognizing that all human beings are equally deserving of concern, respect, and consideration...

In the context of First Nations people, the Canadian Human Rights Tribunal has affirmed that substantive equality means accommodating "the distinct needs and circumstances of First Nations children and families living on reserve, including their cultural, historical and geographical needs and circumstances." To this I would add that Mi'gmaq and Wolastoqiyik peoples' inherent Aboriginal rights and treaty rights must also be respected and accommodated as a matter of equality and human rights, as well as constitutional law and international human rights law.<sup>20</sup>

Later in this report, we call for a review of the Nova Scotia *Police Act*. We suggest that this review must be guided by the work of Indigenous communities and international human rights standards, including the *United Nations Declaration on the Rights of Indigenous Peoples* ("UNDRIP"), as well as the Calls for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls.

## Africentric Lens

The African Nova Scotian Justice Strategy designed by the African Nova Scotian Decade for People of African Descent Coalition (ANSPAD) is one example of Africentric recommendations in a long history of justice advocacy in African Nova Scotian communities. Other recent recommendations and Africentric models of restorative justice are found in the Restorative Inquiry into the Nova Scotia Home for Colored Children.

According to this report:

[O]ften governments and agencies have resisted the idea of a fundamental shift in the structure of systems and ways of working...In place of a fundamental shift, efforts have generally focused on coordination of silos and systems to try to make things better. These efforts have made things better – they have helped ensure things are done right. However, they have not brought about a real and lasting difference in terms of doing the right thing by young people, families and communities. For that, the Inquiry recognized, we need relational and integrated ways of thinking, working and of structuring our systems and services.<sup>21</sup>

As the *Count Us In* Action Plan recognizes:

African Nova Scotians face a number of issues ranging from low unemployment, widening

academic achievement gaps, and poor health outcomes. The call for a decade addressing these and other issues under the pillars of recognition, justice and development for persons of African descent is timely.<sup>22</sup>

Centring African Nova Scotian communities in solutions for policing and resource allocation, including initiatives such as the African Nova Scotian Policing Strategy (ANSDPAD), is crucial.

## Health and Disability Lens

A health-based lens recognizes policing as a public health issue. While there is no singular consensus among scholars, in general health lenses recognize the intersections between the social determinants of health and criminalization.

An example of applying a health-based lens is the movement to decriminalize substances. **Experts on decriminalization argue that all forms of punishment, surveillance and policing must be removed if these models are to truly centre health.** These models have been applied at a federal level, for example in the reports by Health Canada’s 2021 Expert Task Force on Substance Use under the mandate of Health Canada and former Minister of Health Patty Hajdu.<sup>23</sup>

Another example in the Halifax context is the Ceasefire Program. In October, 2013 funding commenced in Halifax for a four-year pilot of CeaseFire program, implemented beginning in May, 2014. The program, funded by Public Safety Canada’s National Crime Prevention Centre through its Youth Gang Prevention Fund was based on a model originally developed in Chicago as a methodology for reducing shooting incidents and homicides in the city: “Applying lessons learned from public health efforts to prevent the spread of infectious diseases, its founder, Dr. Gary Slutkin developed a program to prevent shootings involving youth by changing behaviors, attitudes, and social norms most directly related to gun violence.”<sup>24</sup> Funding for the program was discontinued in 2018.

Social models of disability recognize that medicalized models treat disability as an abnormality or defect. In contrast, social models recognize disability as a difference just like race or age are a difference. Where medical models see disability as negative, social models understand disability as neutral. In addition, disability advocates recognize that disability exists in the interaction between an individual and society: disability issues stem from being forced to function in an inaccessible society.<sup>25</sup> In the context of policing, a disability lens is important in recognizing the intersection between policing and disability: for example, a 2018 report by CBC demonstrated that 70% of people who died in fatal encounters with the police struggled with mental health issues or substance abuse or both.<sup>26</sup> Models of disability also recognize the long histories of incarcerating and containing people with disabilities within asylums, hospitals, forensic facilities, and prisons.

Health models also intersect with other factors such as race. Professor Beverly Bain, Dr. OmiSoore Dryden, and Dr. Rinaldo Walcott note that “Since at least the post-emancipation period in the Americas — and this period includes Canada — public health and policing have been launched against Black communities. Both public health and policing depend on assessing Black people as wayward.”<sup>27</sup>

As Dr. Ingrid Waldron argues in her 2020 paper, “The wounds that do not heal: Black expendability and the

traumatizing aftereffects of anti-Black police violence”:

[W]hile police killings of Black people have long raised important discussions on racist policing cultures and systemic racism within the criminal justice system more broadly, these discussions have largely failed to put forth perspectives on racist policing as a public health crisis . . . I argue that anti-Black police violence has traumatizing aftereffects on Black individuals, families, neighborhood and communities and, therefore, must be considered an urgent public health crisis and permeate ongoing conversations that are being had on police reform and defunding and abolishing the police.<sup>28</sup>

Meerai, Abdillahi and Poole’s paper “An Introduction to Anti-Black Sanism” makes clear the intersections between disability, race, and criminalization.<sup>29</sup> Indigenous scholars and advocates have also recognized the connections between the health crisis in Indigenous communities, the crisis of policing, and histories of settler-colonial violence and genocide.<sup>30</sup>



# Chapter 2:

Contextualizing Defunding in the HRM

# Key Takeaways



The Halifax Regional Municipality is unique in Canada, in that it is served by two police forces: the Halifax Regional Police and the Royal Canadian Mounted Police.



The Halifax Board of Police Commissioners provides civilian governance of the HRP and advice to the RCMP. Three of the Board's seven members are HRM Councillors.



The Board has broad oversight powers under the Police Act, which historically it has been reluctant to exercise. On a proper interpretation, the Board has the power to impose policies on the HRP.



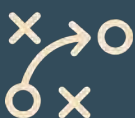
The municipality collectively spent \$127.4 million on policing in fiscal year 2019/2020, which works out to \$265 per capita. This is a bit less than the national average (around \$317 per person), but the Halifax amount goes up to \$393 per capita when the RCMP is excluded from the calculation.



HRM has around 209 officers per 100,000 people, higher than the national average of 183 officers per 100,000 people.



Crime is less severe in HRM compared to the national average, but the clearance rate falls below the national average.



HRM already has a Public Safety Strategy, which pushes the municipality and its partners to act systemically and holistically to address the interconnected roots of crime, victimization, safety, and wellbeing.

# Key Takeaways (cont'd.)



The movement to defund the police in Halifax is rooted in a history of racial profiling by the HRP and RCMP, including in the Kirk Johnson case. More recently, the Wortley Report proved that street checks were used disproportionately against Black people.



Council's decision in June 2020 to cancel the purchase of an armoured vehicle for the HRP is a practical example of defunding the police and re-envisioning community safety.

Before we move on to the framework for our definition of defunding, in this chapter we will provide important background context regarding:

1. Policing in the Halifax Regional Municipality (“HRM”);
2. Approaches to public safety in the HRM; and
3. The antecedents to and the history of the movement to “defund the police” in the HRM.

## Policing in the HRM

HRM has a policing arrangement that is unique in Canada. HRM is the only major municipality serviced by both its own municipal police force, the Halifax Regional Police (“HRP”), and the Royal Canadian Mounted Police (“RCMP”).

The HRP patrols the urban parts of the municipality, which include Halifax, Dartmouth, Bedford, and the areas that extend from Bedford to Sambro Loop. The HRP has a total of 804 employees in fiscal year 2021/22, which includes 530 sworn officers.<sup>31</sup>

The RCMP is a national police force present across Canada. In Nova Scotia, there are 55 RCMP detachments serving 40 municipalities and 13 First Nations communities across the Province, serving Nova Scotians at the provincial, municipal, and federal levels through over 145,000 calls for service annually. In the HRM, the RCMP is responsible for rural and some suburban areas in HRM.<sup>32</sup>

These forces have integrated or co-located services in criminal investigation, as well as in their courts divisions and records divisions, but have a different reporting relationship to the civilian oversight body for policing in the municipality: the Halifax Board of Police Commissioners.<sup>33</sup>

## The Role of the Police Board

Under the Police Act, SNS 2004, c 31, a board of police commissioners must be created by any municipality that establishes a municipal police department (s 44(1)). The municipality establishes the board (s 44(1)) and sets its rules and regulations (s 55(2)(b)).

Despite being a creation of the municipality, the Halifax Board of Police Commissioners (“the Board” or “the Police Board”) is not a committee entirely under the control of Halifax Regional Council, as it has statutory duties and powers set out in s 55 that cannot be removed or reduced by Council. The Board may also contract, sue, or be sued in its own name (s 48). If Council delegates additional powers to the Board, the Board then exercises sole discretion over them (s 55(2)).

Under 55(1), the Police Board is required to serve the twofold functions of providing:

- a.** civilian governance on behalf of the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality; and
- b.** the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department.

The Police Board has no jurisdiction with respect to complaints, discipline, or personnel conduct, except in respect of the chief officer of the municipal police department. Similarly, the Board has no jurisdiction over a specific prosecution or investigation, or the actual day-to-day direction of the police department (s 55(1)(c)-(e)). However, s 55(3) sets out a list of statutory duties that the Board must fulfill:

- a.** determine, in consultation with the chief officer, priorities, objectives and goals respecting police services in the community;
- b.** ensure the chief officer establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
- c.** ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
- d.** ensure that police services are delivered in a manner consistent with community values, needs and expectations;
- e.** act as a conduit between the community and the police service providers;
- f.** recommend policies, administrative and organizational direction for the effective management of the police department;
- g.** review with the chief officer information provided by the chief officer respecting complaints and internal discipline;
- h.** ensure a strategic plan and business plan is in place; and
- i.** ensure the department is managed by the chief officer according to best practices and operates effectively and efficiently.

Historically, concerns have been raised that the Police Board has been ineffective in fulfilling its statutory duties of civilian oversight of the HRP. For example, a 2016 self-study of the Police Board conducted by then-Commissioners Fred Honsberger and Mike Moreash concluded that **“the Halifax Board of Police Commissioners has failed to meet its legislated governance requirements under the 2006 Police Act for the past 10 years,”** a failure which the reviewers attributed to “longstanding systemic flaws in the framework and support network of the Board.”<sup>34</sup>

**The Police Board’s policy-making powers have historically been misunderstood and underused.** In particular, the 2016 self-study found that “the Board has no policy of its own” governing its work.<sup>35</sup> Since then, the Police Board has developed a Policy Manual with a number of policies governing its own operations, including policies on the roles of the Chair and Vice Chair, meeting procedures, and handling complaints against the Chief of the HRP.<sup>36</sup>

Even these policies are lacking in several ways. For example, under sections 56(1) and 56(2) of the Police Act, the Police Board is required to develop a written policy respecting extra-duty and off-duty employment by officers which must, amongst other things, define the meaning of the terms “extra-duty employment” and “off-duty employment.” **Rather than do this, the Police Board’s existing policy, which was only implemented in March 2020, merely states that the HRP already has its own policy on these subjects, which “should be endorsed by the board.”**<sup>37</sup>

However, the HRP’s policy is not attached to the Board’s own, such that members of the public are left without adequate clarity on its details.

Further, the 2016 self-study also found that the Police Board “provides no policy to police, approves no existing police policy and does not assess police compliance with policy.”<sup>38</sup> To the best of our understanding, this state of affairs continues today. This is despite the fact that, in a legal opinion concerning the roles and responsibilities of the Board provided in 2017, Katherine Salsman, a lawyer with HRM Legal Services, concluded that:

In staff’s opinion, the language in 55(1) which requires the Board to provide policy ... make it clear that the Board’s authority goes beyond mere recommendation of policies. However, the Board’s power in this regard is limited by the exclusion in s. 55(1) which states that the Board shall not exercise jurisdiction relating to the actual day-to-day direction of the police department.<sup>39</sup>

In effect, this means that the Police Board has the power to impose policies on the HRP, even without the Chief’s agreement, so long as the Board is not making policies with respect to day-to-day operations of the HRP.

## Policy and Operations

Unfortunately, there is no clear dividing line between policy and operations. Lawyers spend a lot of time arguing over what is “policy” and what is “operations” because the government can usually only be sued in negligence for bad operational decisions, but not for making bad policy decisions.

In *R v Imperial Tobacco Canada Ltd.*, 2011 SCC 42, Chief Justice Beverley McLachlin of the Supreme Court of Canada wrote: “core policy government decisions protected from suit are decisions as to a course or principle of action that are based on public policy considerations, such as economic, social and political factors, provided



they are neither irrational nor taken in bad faith.”<sup>40</sup>

The HRM legal opinion described the policy/operations distinction in the context of the Board’s work as follows:

Essentially this distinction can be boiled down to granting the Board the power to determine where the police service is heading, and the end goals and objectives it works towards. The Chief then has the power to determine how those goals and objectives will be met.<sup>41</sup>

British Columbia’s *Police Act*, RSBC 1996, c 367 also provides for the creation of municipal police boards, whose relationship to municipal police forces is based on the policy/operations distinction. Their Police Board Handbook describes this distinction as follows:

Governance refers to controlling and directing the making of policy, as well as directing and influencing decisions made by the organization. ... Effective governance involves setting policies that address end results and specifying what cannot be done in the course of trying to accomplish them. Consideration of policy results involves answering the following questions:

- What are the benefits/results this organization will produce?
- For whom will these results be produced?
- At what cost?

**By specifying what cannot be done, the board is setting executive limitations and is staying out of the “means”, which is the domain of the Chief. ...**

Day-to-day professional operational decisions are matters for the department itself. The authority of the individual constable to investigate crime, to arrest suspects and lay information before the justice of the peace comes from the common law, *Criminal Code* and other statutory authority and must not be interfered with by any political or administrative body.<sup>42</sup>

By contrast, the actual day-to-day direction of the police department with respect to the enforcement of law and the maintenance of discipline within the department are operational matters, and solely the responsibility of the chief officer (s 38(5)).

Although the policy/operations distinction appears simple in theory, in practice, a major issue facing police boards across Canada is where to draw the dividing line. For example, in considering the workings of the Toronto Police Services Board in his 2012 report, *Independent Civilian Review Into Matters Relating to the G20 Summit*, the Honourable John Morden, a retired Justice of the Ontario Court of Appeal, noted that Ontario’s *Police Services Act* similarly restricts the Board from directing the chief of police with respect to the day-to-day operation of the police force.<sup>43</sup> He went on to note, however, that the Board interpreted this prohibition as limiting their mandate in such a way that it would be “improper to ask questions about, comment on, or make recommendations concerning operational matters,” an approach he concluded not only misinterpreted the legislation, but actually undermined the effective significance of the Board’s governance and oversight roles.<sup>44</sup>

Likewise, in a 2018 report, *Thunder Bay Police Services Board Investigation: Final Report*, Senator Murray Sinclair, himself a former Justice of the Court of Queen’s Bench of Manitoba, interpreted Ontario’s *Police Services Act* as granting a police board “expansive” authority in terms of policy development and implementation.<sup>45</sup> Sinclair

noted that because of the statutory prohibition against police boards directing the chief of police with respect to specific operational decisions or with respect to the day-to-day operation, boards and chiefs of police often express the view that matters of ‘policy’ are strictly the responsibility of the board, and matters of ‘operations’ are for the chief.<sup>46</sup> However, this interpretation is excessively narrow, Justice Sinclair found.

Indeed, this statutory prohibition would not prevent boards from developing policies to guide the chief of police in their operational decisions or day-to-day activities. In fact, Justice Sinclair wrote, the Board, “given its far-reaching authority over the overall effective performance of the [Thunder Bay Police Services], must concern itself with individual operational matters that collectively create a pattern of poor performance or reflect some underlying concerns such as racial profiling and systematic racism.”<sup>47</sup>

As Sinclair makes clear, civilian governance “is expansive, not constrained.”<sup>48</sup> This requires “not simply partnering with the service being governed but taking leadership to ensure its success . . . through more wholesome direction.”<sup>49</sup>

Applying this vision to HRM, the Board would develop plans and policies and set objectives for the HRP on behalf of the community. The Chief would then direct the HRP in accordance with these objectives. The Board would need to obtain operational information from police in order to monitor compliance and demonstrate that policies are being carried out effectively.

## The Police Board and the RCMP

Halifax is the only major city in Canada where policing services are provided jointly by a municipal police force and the RCMP. The RCMP is created and empowered by the *Royal Canadian Mounted Police Act*, RSC 1985, c R-10, not Nova Scotia’s *Police Act*. This means that the RCMP is federally regulated, and so it is not subject to the jurisdiction of HRM and civilian governance of the Board.

As a result, the Police Board’s powers vis-à-vis the RCMP are much more limited. Unlike with the HRP, the Board acts in an advisory capacity only for the RCMP. This means that its function is restricted to determining, in consultation with the Chief Superintendent, priorities, objectives and goals respecting police services in the community (Police Act, s 57(1)). The Police Board therefore cannot impose policies on the RCMP, but can play a role in recommending new policies (s 38(f)), though the RCMP is under no obligation to comply with these recommendations.

## The Role of Regional Council

Under the Nova Scotia Police Act, HRM, like other municipalities in the province, is responsible for providing policing services (s 35(1)) and for appointing the chief of the municipal police department (s 38(1)). Three of the seven members on the Police Board have to be members of Regional Council (s 44(4)).

The responsibility for the HRP budget rests with the Board (s 53). The Chief prepares the budget for the Board’s review, and then the Board forwards it to Council for approval. Council has the power to approve or refuse the budget, but not to amend it without the Police Board’s approval.

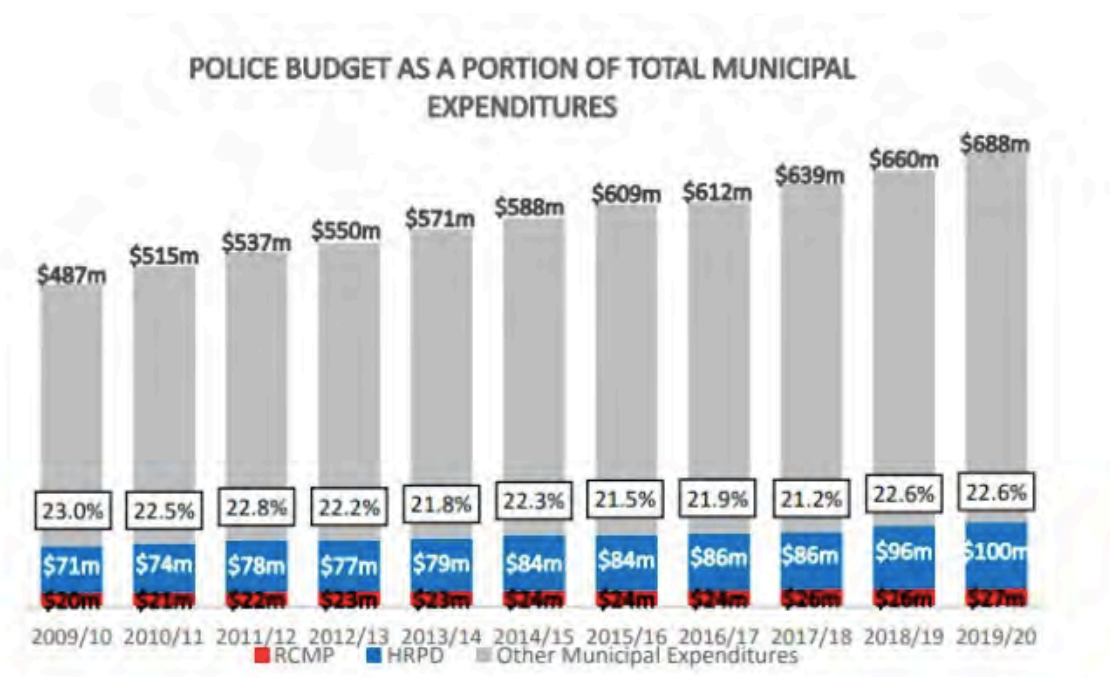
The HRM legal opinion describes the process like this:

Currently, this process commences with Council assessing its fiscal capacity and providing an indication to the Board of the amount it is able to fund for the HRP budget, although the Board is not bound by this figure in terms of what it will recommend. HRP staff then prepare a proposed budget, which is presented to the Board over several meetings with opportunities for the Board to direct changes and amendments. Once the budget meets the Board’s requirements, it is passed by the Board and sent to Regional Council for approval.<sup>50</sup>

## Spending on Policing

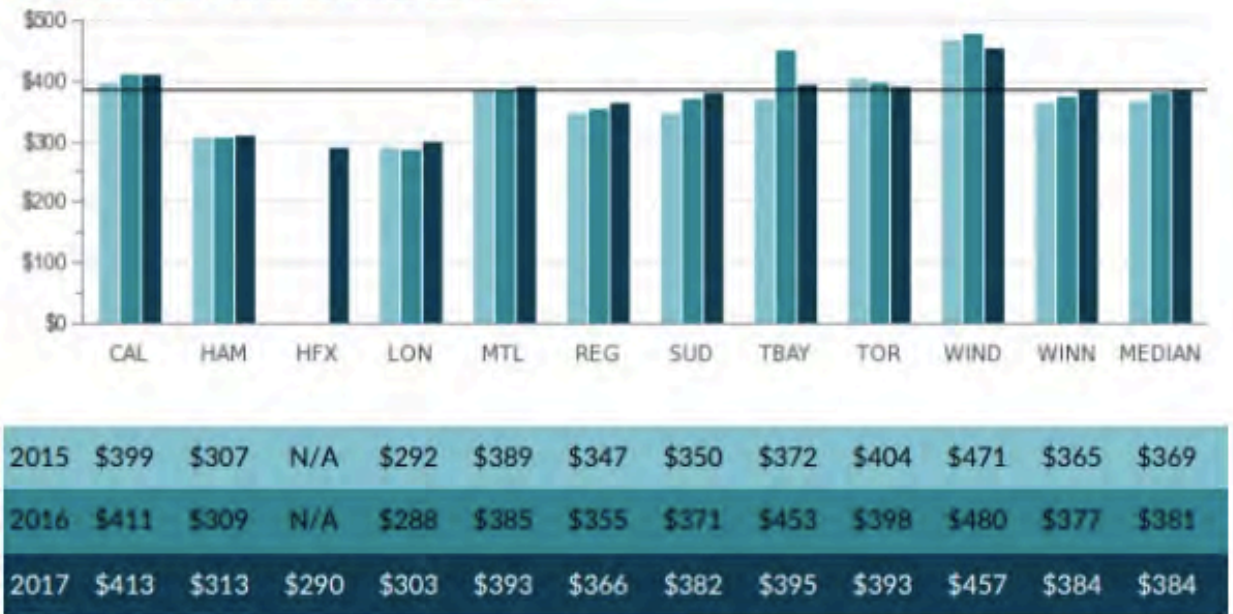
When contextualizing the meaning of “defunding” in the municipality, it is critical to understand present police spending, including where HRM’s spending ranks in comparison to other cities, and the proportion of HRM’s policing budget spent on salaries versus other items. This is especially important to do in light of the results of our public consultation, which revealed a range of perspectives on the adequacy of police funding in the municipality. While many respondents called for the police to be defunded, others perceive that policing services in HRM are currently underfunded: “I think the idea of defunding our police forces is insane. They barely have enough money now to police properly.”

Between the HRP and the RCMP, the municipality collectively spent \$127.4 million on policing in fiscal year 2019/20.<sup>51</sup> This figure works out to \$265 per capita for both police forces. However, when the RCMP and the population that they serve is excluded from these figures, Haligonians spend approximately \$393 per capita on the HRP.<sup>52</sup> For comparison, in 2017/18, Ottawa spent \$334 per capita, Toronto spent \$383, and Victoria spent \$465 per capita.<sup>53</sup> Further, in 2019/20, Edmonton spent \$372, Winnipeg spent \$357, and Hamilton spent \$216.<sup>54</sup> On a per capita basis, policing operating expenditures amounted to \$317 per person across Canada in 2018/19.<sup>55</sup>



A significant proportion of the money spent on policing in the municipality goes towards salaries. The HRP, for instance, spent \$92.8 million on compensation and benefits in 2019/2020.<sup>56</sup> Detailed figures on spending for the RCMP are not available.

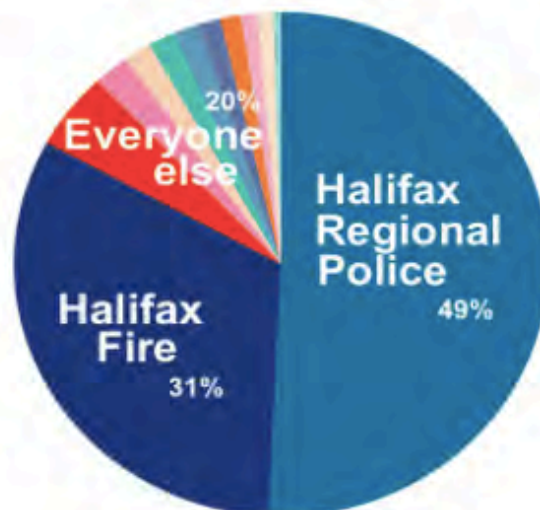
### Total Cost for Police Services per Capita



Members of the Halifax Regional Police are well-represented on the municipality’s Sunshine List of employees earning over \$100,000 annually. In 2018/19, 49% of all HRM employees making over \$100,000 a year were members of Halifax Regional Police, which dropped to 43% of all HRM employees in 2020/21.<sup>57</sup>

### Halifax’s Sunshine List

847 HRM employees earned more than \$100,000 in 2018/19



# A Statistical Perspective

To further contextualize policing in the municipality, this section will place relevant municipal police statistics in a regional and national context. The statistics below, mainly gathered from Statistics Canada, represent the status quo of policing in the HRM.

The first statistical metric necessary to understand policing in the municipality is the amount of officers that patrol the area. In 2019, the area policed by Halifax Regional Police had 208.8 officers per 100,000 people, with the combined number of officers for both the HRP and the RCMP (civilian staff and sworn officers) totaling 218 per 100,000.<sup>58</sup> The national average for officers in a municipal area is 182.8 officers per 100,000 people.<sup>59</sup>

There are additional metrics to understand the amount of officers that operate in the municipality. Authorized police officer strength represents the number of fully-sworn police officer positions that the police department was allowed to fill during the calendar or fiscal year, whether or not that number of officers was hired. Halifax's authorized police officer strength per 100,000 people was 208.8 in 2019. When RCMP (Halifax Branch) and the people that they serve are included into these figures, police strength drops to 166 per 100,000 people.<sup>60</sup> The national average for this figure was 177.6 officers per 100,000 people.<sup>61</sup>

Metrics to assess the prevalence of crime are often contested. One of the indicators that is widely accepted as a proxy to understand crime is the crime severity index offered by Statistics Canada. The crime severity index ("CSI") assigns all crimes a weight based on their seriousness. The level of seriousness is based on actual sentences handed down by the courts in all provinces and territories. More serious crimes are assigned higher weights, less serious offences lower weights. As a result, more serious offences have a greater impact on changes in the index.<sup>62</sup>

At 61.88, HRM falls far below the national average of the crime severity index, which was 73.44 for 2020.<sup>63</sup> The violent crime severity index tells a similar story—HRM sits at 83.83 compared to a national average of 87.03.<sup>64</sup> The upshot of these figures is that crime is less severe in the municipality compared to the national average, and even when violent crimes do occur, they tend to be less severe than in other jurisdictions across the country.<sup>65</sup>

Despite this relatively low crime rate, the clearance rate, which is the number of crimes where a charge is laid divided by the total number of crimes recorded, in HRM falls below the national average. For 2020, the municipality has an overall weighted rate of 33.03 compared to the national average of 37.08.<sup>66</sup> The clearance rate has declined nationally as well as in the municipality in recent years, demonstrating the challenge police forces have in following through on potential prosecutions.<sup>67</sup>

Canada					
Statistics	2016	2017	2018	2019	2020
	Index				
Crime severity index	72.01	73.6	75.61	79.77	73.44
	Percent				
Percent change in crime severity	2.3	2.21	2.73	5.5	-7.94
	Index				
Violent crime severity index	76.88	81.27	83.55	90.3	87.03
	Percent				
Percent change in violent crime severity index	2.04	5.71	2.81	8.08	-3.62
	Index				
Non-violent crime severity index	70.1	70.66	72.58	75.8	68.38
	Percent				
Percent change in non-violent crime severity index	2.43	0.8	2.72	4.44	-9.79
	Number				
Weighted clearance rate	39.55	39.88	38.65	37.02	37.08
	Percent				
Percent change in weighted clearance rate	0.51	0.83	-3.08	-4.22	0.16
	Number				
Violent weighted clearance rate	63.48	63.68	61.52	58.23	58.35
	Percent				
Percent change in violent weighted clearance rate	1.21	0.32	-3.39	-5.35	0.21
	Number				
Non-violent weighted clearance rate	30.12	30.04	29.19	27.93	27.35
	Percent				
Percent change in non-violent weighted clearance rate	0.43	-0.27	-2.83	-4.32	-2.08

**Table 1A: Crime severity index and weighted clearance rates, Canada<sup>68</sup>**

## Halifax, Nova Scotia

Statistics	2016	2017	2018	2019	2020
	Index				
Crime severity index	63.32	66	67.47	60.91	61.88
	Percent				
Percent change in crime severity	-2.67	4.23	2.23	-9.72	1.59
	Index				
Violent crime severity index	81.95	88.84	96.63	84.16	83.83
	Percent				
Percent change in violent crime severity index	-1.96	8.41	8.77	-12.9	-0.39
	Index				
Non-violent crime severity index	56.47	57.63	56.82	52.4	53.84
	Percent				
Percent change in non-violent crime severity index	-2.94	2.05	-1.41	-7.78	2.75
	Number				
Weighted clearance rate	36.47	35.07	36.62	34.72	33.01
	Percent				
Percent change in weighted clearance rate	-7.44	-3.84	4.42	-5.19	-4.93
	Number				
Violent weighted clearance rate	51.6	47.36	45.49	46	52.44
	Percent				
Percent change in violent weighted clearance rate	-10.18	-8.22	-3.95	1.12	14
	Number				
Non-violent weighted clearance rate	28.57	28.26	31.2	28.2	22.12
	Percent				
Percent change in non-violent weighted clearance rate	-4.67	-1.09	10.4	-9.62	-21.56

**Table 1B: Crime severity index and weighted clearance rates, Halifax, Nova Scotia<sup>69</sup>**

To dig further into the data, we requested information from the HRP on overall calls for service, and General Occurrence (“GO”) Report data (Appendix D). Notably, the Halifax District RCMP were also willing to provide data to the Subcommittee, but this unfortunately could not be arranged before the report’s deadline.

GO report data consist of any call for service that also requires a follow-up action to be taken by an officer. Calls for service (“CFS”) are defined as calls received by police services that are citizen-generated or officer-initiated, and which required the tasking of police resources (e.g., a call to a 911 emergency line that resulted in the dispatch of an officer).<sup>70</sup> We acquired call for service data for 2019, 2020, and 2021, as of August 26, 2021.

We also chose a week-long snapshot for the period between February 17 and 24 from 2019, 2020 and 2021 to analyze GO Report data in more depth. We chose this week because it is not close to any major holidays, which might affect rates of calls for service or GO Reports. These calculations are not intended to be statistically authoritative, but rather aim to provide a brief snapshot of how policing is conducted in the municipality by Halifax Regional Police.

## ***Part One: Calls for Service in 2020***

The table below breaks down the total number of calls for service Halifax Regional Police received in the years (1) 2019, (2) 2020, and (3) 2021 to date - up to August 1.

Year	2019	2020	2021 YTD
Total	123,923	103,805	61,033

The above table demonstrates the total calls for service for Halifax Regional Police in 2019, 2020, and in 2021 (up to August 26). These numbers amount to approximately 2383 calls for service a week in 2019, 1996 calls for service in 2020, and 1795 calls per week in 2021 (up to August 26th). Below, we include a table for the week of February 17-24 in 2019, 2020, and 2021:

**Table 3: Weekly Calls for Service, February 17th-24th, 2019-2021**

	Feb 17-24, 2019	Feb 17-24, 2020	Feb 17-24, 2021
Calls for service	2541	2629	2262
Calls for service which generated a GO report	1058	1040	1232

The week of February 17-24 has an above average calls for service rate in each year of data we acquired. The percentage of calls for service per week that generate a GO Report, or a follow-up action by officers, are 41.6% in 2019, 39.2% in 2020 and 54.4% in 2021. This amounts to an average GO Report percentage of 45% for all calls for service.

The Committee requested a breakdown of the kinds of offences that prompted GO Reports for the week of February 17-24 in 2019, 2020, and 2021. Halifax Regional Police responded:

*Please note that in order to provide all of the information that has been requested and to accurately categorize every incident as requested would be highly resource intensive. These types of requests would ordinarily be immediately directed to our Access to Information process (see*



below). However, as an alternative, we have provided figures for those categories of offences that are reviewed monthly as part of our established operational support processes. They include offences that are categorized as person and property offences.

Instead of giving the Subcommittee the full breakdown of GO Report data, Halifax Regional Police provided us with information on person offences (homicide, attempted homicide, assault, weapons charges, robberies) and property offences (break and enter, theft from a motor vehicle, theft of a motor vehicle, and arson):

**Table 4: Breakdown of Offences, February 17th-24th, 2019-2021**

	Feb 17-24, 2019	Feb 17-24, 2020	Feb 17-24, 2021
Break & Enter	9	3	13
Theft from Motor Vehicle	30	14	19
Theft of Motor Vehicle	8	4	4
Arson	2	1	0
<b>Total Property Offences</b>	<b>49</b>	<b>22</b>	<b>36</b>
Homicide	1	0	1
Attempt Homicide	0	1	0
Robbery	2	4	0
Weapons	4	2	0
Assaults (excluding Level 1)	8	11	8
<b>Total Persons Offences</b>	<b>15</b>	<b>18</b>	<b>9</b>

The numbers above, while helpful, leave a significant gap in understanding of what Halifax Regional Police officers do in an average week. Other reports commissioned to assess the performance of Halifax Regional Police are faced with a similar conundrum. The 2019 *Partners In Policing* report conducted by Perivale and Taylor Consulting, while heavily redacted, offers some clues about what the categories for missing GO Reports might be. The numbers in the table below are the most frequent calls for service over a year period for both HRP and RCMP.

**Table 5: Partners in Policing Report “Offences” Categories**

	Categories	Totals
1	Assist Citizen	11,186
2	Driving Complaint	8997
3	Motor Vehicle Accident - Damage	5543
4	Suspicious Person	4836
5	Alarm Commerical	4283

	Categories	Totals
6	Noise Complaint	4259
7	Theft - Not in Progress	3998
8	Unwanted Person	3815
9	Assist Other Agency	3566
10	Dispute - Verbal	3433

The *Partners in Policing* report notes that the leading category of “Assist Citizen” is an amalgam of a few different categories:

Based on the *Review’s* experience, the incidents likely include keeping the peace, community problem solving, assisting citizens in some public-safety matter, or quasi-criminal matters. Consequently, the greatest single proportion of allocated time is not able to be analyzed. This issue is addressed in the recommendations. It is important to note that whatever the situations, it was judged that the police should attend to assist, and the number of resulting follow-up investigations (4967) indicates there were important public safety issues involved.<sup>71</sup>

Another category of interest in the *Partners in Policing* report is the Alarm Commercial category, which is listed fifth on the ranking of calls for service per year, with 4283 in total. The calls in this category, according to Perivale and Taylor Consulting, are assumed to be false alarms, as a real ‘alarm’ call would have already been designated into a particular offence category like break and enter or theft.<sup>72</sup> The report recommends that the Assist Citizen category be discarded and replaced with more accurate identifiers of activity, and both the HRP and RCMP should reassess the priority of alarm calls.

These numbers help to provide greater context for policing in the municipality. While not granular enough for extensive analysis, it is clear that the bulk of HRP and RCMP time is spent in the generalist “Assist Citizen” category, with far fewer units of police time being spent investigating or addressing violent or property crimes. Comparatively speaking, policing in the entirety of the HRM is cost-efficient when placed in contrast to other cities across the country, but much of these savings are due to the presence of the RCMP, where federal subsidies decrease the overall cost of providing policing services in the municipality. Indeed, HRM has a below-average crime rate, and has been improving on many metrics of public safety for a number of years.

# Public Safety in the HRM

## The Clairmont Report

Community safety isn't just about policing or crime statistics. Lower levels of crime do not automatically translate into perceptions of safety, nor are they the only contributor to community well-being. Prejudice and bias can cause fear and harm in communities, even in the absence of criminal or regulatory offences.

To the extent that the movement to defund the police represents a call to reimagine public safety, this movement is in keeping with one of the core purposes of the municipality—namely, to “develop and maintain safe and viable communities.”<sup>73</sup>

In 2008, the HRM made a commitment to developing a more holistic understanding of, and a coordinated approach to addressing, the root causes of crime and victimization in Halifax, by convening a Mayor's Roundtable on Violence, resulting in the 2008 report *Violence and Public Safety in the Halifax Regional Municipality: A Report to the Mayor* (the “Clairmont Report”).<sup>74</sup>

A key premise of the Clairmont Report was that municipal and community initiatives can and do effect positive changes to public safety in the HRM.<sup>75</sup> Indeed, Clairmont recognized that, despite concerns regarding the limited jurisdiction of HRM, “the Municipality has always stepped outside [its] limited mandate to some extent.” As evidence for this claim, he pointed to the city's “grants committee” to which non-profit and community groups could apply for project funding in the area of neighbourhood safety, as well as significant tax rebates and significant one-time funds that the city had provided to charities in the past.<sup>76</sup>

One of the key recommendations of the Clairmont Report was that the HRM establish a Public Safety Office (“PSO”).<sup>77</sup> The municipality acted on this recommendation by establishing a PSO in 2009 and developing a public safety strategic plan.<sup>78</sup> However, as is clear from the two volume *Roundtable Review* (the “Review”), a 2014 progress report on the implementation of the Clairmont Report's recommendations, for its first few years of operation, the PSO did not live up to the vision initially set out for it. Specifically, the work of the PSO was undermined to the extent that the office:

- received minimal dedicated funding;
- lacked a clear strategy for implementing the HRM's public safety action plan, instead proceeding on a largely ad hoc basis;
- was largely cut off from both HRM Council and the other business units, given its location within the HRP;
- focused too much on conventional police crime prevention strategies without giving adequate attention to addressing the broader social determinants of crime; and
- received no meaningful oversight from the Police Board.<sup>79</sup>

# The Public Safety Strategy

In light of these concerns, the Review recommended that the PSO be civilianized, removed from its location within the HRP, and placed in a reporting relationship to the Chief Administrative Officer (“CAO”).<sup>80</sup> More generally, the research and community engagement from the Review formed the basis for the municipality’s inaugural Public Safety Strategy (the “Strategy”), which was unanimously approved by HRM Regional Council in October 2017.<sup>81</sup>

With four priority areas, the Strategy pushes the HRM and its partners to act systemically and holistically to address the interconnected roots of crime, victimization, safety and wellbeing. The Strategy guides the work of the PSO staff, including Public Safety Advisor, Dr. Amy Sicilano, who oversees the implementation of its action items through collaboration and partnerships with internal and external stakeholders and advises on approaches to community safety and wellbeing to further advance its goals.



## ***Build Resident Resilience***

- 1.1** - Connect residents to quality jobs.
- 1.2** - Help children and youth succeed at school.
- 1.3** - Improve residents’ mental health.
- 1.4** - Build child and youth resilience.



## ***Ensure Safe Places***

- 2.1** - Preserve and grow the supply of affordable and emergency housing.
- 2.2** - Enhance access to arts, culture, recreation and natural assets.
- 2.3** - Improve mobility so that people can learn, play, and work more effectively.
- 2.4** - Make places and spaces safe and beautiful.



## ***Strengthen Communities***

- 3.1** - Support residents in parenting and mentorship.
- 3.2** - Improve access to healthy, affordable food.
- 3.3** - Make programs, services and facilities more inclusive.
- 3.4** - Enhance community cohesion and engagement.



## ***Prevent and Reduce Crime***

- 4.1** - Decrease violent crime and criminal involvement.
- 4.2** - Divert and reintegrate offenders.
- 4.3** - Reduce the availability and harmful use of alcohol and drugs.
- 4.4** - Decrease inter-personal violence, abuse, and neglect.

The expansive nature of the Strategy, through its recognition of the social determinants of crime and public safety, indicates a growing willingness on the part of Regional Council to think beyond the municipality's jurisdictional mandate as defined in the *Halifax Regional Municipality Charter*, SNS 2008, c 39 (the "Charter"). Under the Charter, HRM has responsibility for key areas including Policing, Fire Services, Transit, Parks and Recreation, Urban Planning, and Libraries.

There has been a long-held belief that the municipality should not be involved in the direct provision of health and social services, which fall under provincial jurisdiction. However, much like the distinction between policy/operations when it comes to police governance, this narrow jurisdictional divide is impossible to maintain in practice. Rather, almost all of the services that HRM provides either directly or indirectly impact the health and social well-being of residents in the municipality. According to HRM's *Social Policy*, "municipalities routinely make decisions and allocate resources for services like roads, sidewalks, land use, public gathering places, housing, public transit, parks and recreation... which can impact the health and wellbeing of citizens, and many of the tools required to do this are within HRM's mandate."<sup>82</sup>

Nowhere is this more true than with the role of police. By emphasizing the socio-economic determinants of public safety, we recognize that crime and criminality are often a direct result of structural factors including poverty, lack of adequate housing, mental health crises, and addictions. In their roles, police routinely respond to incidents resulting from these issues, without necessarily being equipped to do so.

Thus, by funding police, the municipality has long been engaged in health and social service delivery, albeit through a more narrow, "downstream" intervention which focuses on responding to crime "after the fact". In turn, a core component of police defunding is a call to provide more structural, preventative, and "upstream" interventions to address crime and public safety, rather than relying only on police. Therefore, while the implementation of the Municipality's Public Safety Strategy and Social Policy are a welcome development, we recognize that there remains significant progress to be made.

## **The Movement to "Defund the Police" in HRM**

There have been longstanding and robust criticisms of policing in Halifax, particularly from the African Nova Scotian community, from Mi'kmaq community members, and from survivors of sexual assault.<sup>83</sup> Racial profiling by the HRP and the RCMP has had a demonstrable effect on perceptions of safety and trust in these institutions. This profiling has been condemned repeatedly by the Nova Scotia Human Rights Commission ("the Commission"); former heavyweight boxer Kirk Johnson, for instance, testified to the Nova Scotia Human Rights Commission that he had been stopped 28 times over five years driving in HRM.<sup>84</sup> Johnson won his case, and the Commission called for HRP to develop a way to identify the role of race in traffic stops.<sup>85</sup> Such a procedure never emerged, and HRP began using street checks as an additional profiling measure in 2005.

Street checks are the interaction or observation (without interaction) whereby personal and/or identifying information is collected by an officer and entered into a database for future use.<sup>86</sup> Fifteen years after the Johnson ruling, an investigation by CBC News demonstrated that the HRP's use of street checks disproportionately

affected Black people in the municipality.<sup>87</sup> This investigation, alongside advocacy by community organizations including the African Nova Scotian Decade for People of African Descent Coalition (“ANSDPAD”), prompted the Nova Scotia Human Rights Commission to commission Dr. Scot Wortley to review the use of street checks in the municipality. His report (the “Wortley Report”) found that Black residents were six times more likely to undergo a street check compared to white Haligonians.<sup>88</sup> The Wortley Report also surveyed 506 residents about their perceptions of policing in HRM. The results of the survey showed that residents are conflicted in whether they trust the police, and that this conflict often presents itself in racialized terms:

**Table 6: Percent of Respondents Who Agree or Strongly Agree with Various Statements About the Police, by Respondent Race**

Statement	Respondent Race				Sig.
	Black	White	Other	Missing	
					***
I trust the police.	28.6	50.2	50.0	43.2	***
I am confident that the police are doing their best to serve my community.	31.6	52.0	53.9	44.9	***
If I had a problem I would go to the police for help.	42.9	71.8	61.6	58.5	***
The police often abuse their power.	55.9	39.0	42.3	50.0	NS
The police do a good job keeping my community safe.	29.9	55.9	60.0	46.6	***
The police treat wealthy people better than poor people.	76.7	56.5	50.0	61.9	*
The police treat people fairly.	18.2	38.4	34.6	38.2	**
The police treat people with respect.	28.6	40.5	46.2	38.2	*
I feel safe when the police are around.	29.9	56.7	53.9	50.0	**
Some people unfairly criticize or complain about the police.	40.0	49.7	38.4	51.3	NS
<b>Sample Size</b>	<b>77</b>	<b>285</b>	<b>26</b>	<b>118</b>	

\*\*\* p > .001; \*\* p > .01; \* p > .05; NS = racial difference not statistically significant;

As Wortley notes, this difference may stem from the poor treatment and discrimination that Black residents perceive that they suffer at the hands of the police, in comparison with white residents as well as residents of other races:

**Table 7: Percent of Respondents Who Believe that the Police Treat Black People Better, Worse, or the Same as White People, by Respondent Race**

Police Treatment	Respondent Race			
	Black	White	Other	Missing
Much Better	2.6	0.7	3.8	3.4
Better	1.3	3.5	3.8	7.7
The Same	11.7	26.1	30.8	23.9
Depends	7.8	12.3	7.7	6.0
Worse	31.2	34.5	15.4	29.9
Much Worse	45.5	22.9	38.5	29.1
<b>Sample Size</b>	<b>77</b>	<b>285</b>	<b>26</b>	<b>117</b>

**Table 8: Percent of Respondents Who Believe that the Police Treat Black People Better, Worse, or the Same as People from Other Racial Minority Groups, by Respondent Race**

Police Treatment	Respondent Race			
	Black	White	Other	Missing
Much Better	3.9	0.0	3.8	1.7
Better	1.3	5.3	3.8	6.0
The Same	15.6	40.8	42.3	40.2
Depends	7.8	18.3	7.7	11.1
Worse	44.2	31.7	34.6	35.0
Much Worse	27.3	3.9	7.7	6.0
<b>Sample Size</b>	<b>77</b>	<b>285</b>	<b>26</b>	<b>117</b>

These findings, and others in the Wortley report, indicate that concerns about policing are at once highly racialized, but also shared broadly throughout the community. Wortley’s report came with a host of recommendations, which include data collection on all stops on civilians and an overhauled training

program for HRP and RCMP officers.<sup>89</sup> According to the HRP's own tracking document, implementation of the recommendations of the Wortley report is uneven at best.<sup>90</sup>

In the years since the Wortley Report was released, scrutiny of policing in the municipality has intensified. This scrutiny, combined with significantly increased public attention and advocacy after the murder of George Floyd in Minneapolis in the spring of 2020, along with other police killings in the US and Canada, prompted a reversal of Halifax Regional Council's 2019 decision to purchase a \$500,000 armoured vehicle for the HRP from its capital budget.<sup>91</sup>

**The motion to cancel the purchase, advanced by Councillor Shawn Cleary, shifted \$385,000 that would have been used to purchase the vehicle towards initiatives that aimed to reduce anti-Black racism in the municipality as well as to programs for diversity, inclusion and public safety.**<sup>92</sup> The armoured vehicle reversal is indicative of the significant change in the mood of the municipality that animates our report. Residents of HRM appear to be seeking an approach to community safety that is inclusive and that places accountability, transparency, and trust at the core of this approach.





# Chapter 3A:

Results of Public Consultation

# Key Takeaways



In September 2020, the Board appointed Dr. El Jones as Chair of a subcommittee to define “defunding the police.”



Defining “defunding” is more complex than it may sound. It requires a critical examination of what roles belong to the police, and what exists to replace police services, as well as varying ideas of safety and risk.



The Subcommittee had a diverse membership and multiple engagement strategies, including an online survey.



There were 2,351 unique survey responses.



56.8% of survey participants indicated support for the idea of defunding the police, while 43.2% of respondents did not.



Support for defunding is highest on the Halifax Peninsula and in downtown Dartmouth. Disagreement with defunding is spread more evenly across HRM.



The Subcommittee received a submission and held a follow-up meeting with the National Police Federation. According to the NPF, defunding “is not about removing funds from police and public safety, but about refunding much needed social services” — particularly in the area of mental health. The Subcommittee found some areas of shared concern with the NPF regarding the criminalization of social issues, but there were many differences of opinion as well.

# Background to the Subcommittee

In September 2020, the Halifax Board of Police Commissioners appointed Dr. El Jones to chair an independent subcommittee that would prepare a report recommending a definition of defunding the police and investments to support communities and public safety (the “Subcommittee”).

From the outset, Professor Jones was clear that defining defunding may be straightforward in theory, but much more complex in practice. In particular, it requires a critical examination of what roles belong to the police, and what exists to replace police services, as well as varying ideas of safety and risk. For that reason, a definition would only be meaningful if it was accompanied by a process that explains and explores how defunding can be put into practice, both at the level of the Police Board and other municipal and provincial governing bodies, as well in terms of community understanding of and engagement with the idea.

Composed of experts (including those with lived experience) from groups impacted by policing, with an emphasis on organizations that provide community-based services, the Subcommittee members collaborated on research and reporting, and in facilitating the process of convening community engagement sessions. In this way, the role of the Committee was to:

1. connect to impacted communities and facilitate communication with and participation from communities and organizations;
2. collaboratively review and present research relevant to policing and Police Board policy, other municipal precedents, and current literature on the topic; and
3. design and facilitate public consultation opportunities, including focus groups, one-on-one interviews, and a large-scale public engagement session.

Following models accomplished in Edmonton and Toronto, the Subcommittee’s public engagement session on June 19, 2021 featured presentations from community service providers and other stakeholders. The purpose of this engagement session was to:

1. Learn about what resources exist in our communities and what kinds of services provide alternatives to police.
2. Build public understanding of what defunding entails and what it looks like in practice.
3. Involve community collaboration in engagement with the Board and in the process of defunding.
4. Contribute to the Board’s 2020 work plan deliverable of increasing public participation in meetings.<sup>93</sup>

Following the conclusion of the Subcommittee’s public consultation session, the Subcommittee prepared this

report to the Board, with the goals of:

1. Providing a definition of defunding;
2. Providing an overview of the major research, history of discourse on defunding, and current debate around defunding and abolition;
3. Reviewing practices in other municipalities;
4. Addressing relevant Board/municipal policies or policy proposals that could facilitate defunding;
5. Summarizing and drawing from the community hearings; and
6. Articulating what defunding would look like in policy and practice in the Halifax Regional Municipality.

# Research Methods

The Subcommittee's goal was to build knowledge on the concept of defunding, specifically in the context of HRM, through community-informed, culturally sensitive, and evidence-based models of public engagement. For the purpose of this report, engagement is defined as a process that happens through consultation, which provides a channel for the public, stakeholders, and government to participate in meaningful conversations on social, economic, and political issues (Halvorsen, 2003). In this way, engagement is about fostering the framework of change that will make social and political life more representative of broader communities by providing opportunities for individuals to participate in decision-making in their everyday lives, as well as in the wider political system (Pateman, 2012).

From May 1, 2021 to June 30, 2021, the Subcommittee undertook a four-tiered system of public engagement to meet the previously outlined goals:

1. Focus groups
2. Written submissions
3. Open-ended survey
4. Live-streamed public engagement session

**First**, committee members were tasked with facilitating focus groups with community members and/or organizations throughout the various districts within HRM. The purpose of focus groups was to give a platform to any person or group to express not only their opinions on the definition of defunding, but their experiences with processes of public safety more broadly.

By probing individual and group behaviour, the report aimed to better incorporate both community and professional concerns while appropriately addressing the core concerns of the Subcommittee. Due to COVID-19 and provincial pandemic-related restrictions, many of these focus groups occurred virtually.

**Second**, the Subcommittee solicited direct written input from the general public via email (defundhrm@gmail.com). Any individuals, formal organizations, or groups were encouraged to provide feedback on the concept of defunding within HRM. All submissions, either directly through focus groups or the Subcommittee email, were accepted through June 30, 2021.

**Third**, the Subcommittee developed an online survey to help gauge public understanding of and perceptions about the topic of defunding. The survey questions were designed to allow open-ended responses. This means that participants were prompted to submit long-form, written responses to several questions, rather than traditional survey models that may use multiple choice questions or “scales” (agree, disagree, neutral, etc.). All of the survey questions were sent to the Police Board for review prior to the survey becoming publicly available on May 18, 2021. Responses were open through June 30, 2021. We recruited participants through social media advertisements (Facebook, Twitter), community organizations, word-of-mouth engagement and media appearances.

**Finally**, the Subcommittee organized a virtual public engagement session on June 19, 2021, held over Zoom. Individuals and organizations could sign up for a 15-minute speaker timeslot: 10 minutes for their presentation and 5 minutes for questions. Presentations were live-captioned and live-streamed. As with many other HRM meetings, the entire engagement session was also released as a YouTube video on the HRM page for the public to access, and HRM staff were present during the event and had the ability to end presentations if the terms of engagement (i.e., use of hate speech) were breached.

## Public Engagement

Engagement in the Subcommittee’s public consultation work was significant on every front. Specifically, the Subcommittee received the following feedback from the public:

- 2351 responses were received to the Subcommittee’s online survey
- 19 individuals provided 10-15 minute presentations for the Subcommittee’s public engagement sessions, collectively totalling over six hours
- 8 formal submissions from community organizations and concerned individuals were sent to the Subcommittee
- 43 individuals provided written feedback to the Subcommittee by email
- Extensive conversations were held between Committee members and members of the public who represent community subgroups as identified in the Terms of Reference.

While engagement with the Subcommittee’s public consultation work was significant, there were several limitations to our reach as well as confounding factors that influenced our approach.

Firstly, the Subcommittee’s mandate was explicitly centred around ‘defining’ defunding the police, which meant that our approach to survey design oriented towards qualitative (or descriptive), open-ended questions that

allowed for detailed and nuanced responses from members of the public. Our goal with the survey was to work in tandem with the other forms of public engagement to take the pulse of the conversation around defunding in the community. Very quickly, however, the survey became the primary mechanism through which Haligonians engaged with the Subcommittee, presenting us with a massive sample size. While the richness of this data allows for interesting insights, it also means that robust and transferable statistical analyses of the data are more challenging to complete - particularly with a response of this magnitude set up in this format.

Another important limitation to this public engagement occurred because of the COVID-19 pandemic. When the Subcommittee was first formed, we planned for both public engagements and focus group consultations to happen in-person. Unfortunately, the third wave of the pandemic meant that those efforts ceased entirely. The focus groups in particular were intended to be nuanced conversations with folks of marginalized identities who may not feel comfortable engaging in public conversations about their experiences with police. These consultations require privacy and some degree of rapport that is a lot harder to develop in an online environment.

We used Google Forms to distribute the survey to make sure that the survey was as accessible as possible, but this format does not have the capacity to limit repeated responses to the survey without requiring participants to sign in using a Google account. We therefore had to remove 50 repeated entries during our data analysis phase.

The types of data that the survey provided based on our recruitment format was voluntary and self-identified. Our sample, therefore, is drawn from community members who might be significantly invested in the topic which could contribute to polarized responses. Demographic data in this survey is also, therefore, self-identified, which could lead to less reliable results. We therefore decided to make much of the survey focused on the qualitative responses that motivate much of the rest of the report.

The Subcommittee did not have any representation from Halifax Regional Police or the Royal Canadian Mounted Police. The Subcommittee made this choice to better facilitate community engagement and input at all points of the process, as many community members expressed feelings of fear and frustration with police forces in the municipality.

As a replacement for representation from HRP or the RCMP, we solicited participation from the HRP and consulted significantly with the National Police Federation, the sole certified bargaining agent for the RCMP. Using this model of engagement allowed all participants to feel comfortable sharing their perspectives and experiences: while members from marginalized communities felt safer in sharing their experiences, this model also allowed the police representatives to respond thoughtfully and honestly to Subcommittee questions without having to navigate the increased scrutiny that comes with speaking in their role.

# Survey Data Results

To achieve the goals of this report, several pieces of demographic and geographic information were drawn from the survey. A search strategy was developed to identify key factors within respondent answers.

Of the 2401 responses, 50 responses were repeat submissions. The following demographic information was drawn from **2351 survey responses**.

In terms of the geographic makeup of survey responses, participants were prompted based on their HRM Council District (1-16):

- District 1 - Waverley-Fall River-Musquodoboit Valley: **80**
- District 2 - Preston-Chezzetcook -Eastern Shore: **130**
- District 3 - Dartmouth South-Eastern Passage: **104**
- District 4 - Cole Harbour-Westphal: **128**
- District 5 - Dartmouth Centre: **189**
- District 6 - Harbourview-Burnside-Dartmouth East: **63**
- District 7 - Peninsula South-Downtown: **290**
- District 8 - Peninsula North: **418**
- District 9 - Armdale- Peninsula West: **207**
- District 10 - Halifax-Bedford Basin West: **97**
- District 11 - Spryfield-Sambro Loop-Prospect Road: **100**
- District 12 - Timberlea-Beechville-Clayton Park West: **84**
- District 13 - Hammonds Plains-St. Margaret's: **96**
- District 14 - Middle & Upper Sackville- Lucasville: **49**
- District 15 - Lower Sackville: **55**
- District 16 - Bedford- Wentworth: **48**
- Do Not Know / Prefer Not to Answer: **213**

Peninsula North (418) represented the highest response rate, while Bedford-Wentworth (48) represented the lowest response rate. Of these responses, **1249** indicated residence within HRP jurisdiction, **167** within RCMP jurisdiction, **671** lived within both HRP and RCMP jurisdictions, and **264** did not know or preferred not to answer.

When considering the demographic makeup of survey responses, participants were prompted with several questions aimed at gathering personal characteristics. The median age of respondents was **36 years**, which is relatively inline with the median age of HRM, which is 41 as of 2016.<sup>94</sup> In terms of gender, **765** respondents were male identifying, **1177** were female identifying, **163** were gender-fluid or non-binary, and **246** preferred not to answer. Further, **597** identified as LGBTQIA2S+, **57** identified as a newcomer or refugee, and **329** identified as a person with a disability.

Finally, the survey prompted participants to self-identify their race / ethnicity. These responses were condensed into larger subheading that matched the Statistics Canada 2016 Census population breakdown:<sup>95</sup>

- Black: **144**
- Chinese/Japanese/Korean: **9**
- Latin American: **9**
- North American Aboriginal: **115**
- South Asian: **17**
- Southeast Asian: **7**
- West Asian: **23**
- White: **1523**
- Visible Minority: **1**
- Multiple Visible Minorities: **24**
- Prefer No Answer: **479**

## Support for Defunding the Police

While the majority of the questions in this survey were open-ended and sought qualitative responses that inform the rest of this report, the Subcommittee did ask participants to answer a yes/no question about whether or not they supported defunding the police. The answers for this question can be found below:

**Table 1: Survey participants’ answer to the question: “Do you support defunding the police?”**

Do you support defunding the police? (n=2304)	Number of respondents
Yes	1308
No	996
<b>Total</b>	<b>2304</b>



”56.8% of participants in our survey (n=1308) indicated support for the idea of defunding the police, while 43.2% of respondents (n=996) did not. The survey did not define defunding for participants and, as seen in Chapter 1, there are divergent perspectives in the community on what defunding means. The above number does indicate, however, a significant proportion of respondents in support of some conception of defunding in the municipality. This support is largely concentrated in the parts of the municipality served by the Halifax Regional Police, as seen in Table 2:

**Table 2: Survey responses to the question “Do you support defunding the police?” disaggregated by District**

<b>Support for defunding the police by District (n=2304)</b>	<b>Yes</b>	<b>No</b>	<b>Number of respondents</b>
District 1 - Waverley - Fall River - Musquodoboit Valley	22	49	71
District 2 - Preston - Chezzetcook - Eastern Shore	50	78	128
District 3 - Dartmouth South - Eastern Passage	40	61	101
District 4 - Cole Harbour - Westphal	46	73	119
District 5 - Dartmouth Centre	123	64	187
District 6 - Harbourview - Burnside - Dartmouth East	32	29	61
District 7 - Halifax South Downtown	212	68	280
District 8 - Halifax Peninsula North	329	78	407
District 9 - Halifax West - Armdale	130	67	197
District 10 - Bedford Basin West	37	57	94
District 11 - Spryfield - Sambro Loop - Prospect Road	44	52	96
District 12 - Timberlea - Beechville - Clayton Park - Wedgwood	46	36	82
District 13 - Hammonds Plains - St. Margarets	42	45	87
District 14 - Middle/Upper Sackville - Beaver Bank - Lucasville	16	33	49
District 15 - Lower Sackville	26	26	52
District 16 - Bedford - Wentworth	18	28	46
Don't know/prefer not to answer	72	127	199
NOT a resident of HRM	23	25	48
<b>Total</b>	<b>1308</b>	<b>996</b>	<b>2304</b>

Support for defunding is highest on the Halifax Peninsula and downtown Dartmouth, with 75.7 and 80.8% of respondents from District 7 and District 8 respectively answering the survey question in the affirmative. Other significant nodes of support are District 5 and District 9.

Dissent against the idea of defunding is more evenly distributed across HRM. Districts 1, District 4 and those who preferred not to answer demonstrated the most resistance to the idea of defunding, with 69% of District 1 residents answering “No” to this question.

The breakdown of gender demographics for the survey shows a significant concentration of support among women and gender fluid and non-binary individuals for defunding in HRM:

**Table 3: Survey responses to the question “Do you support defunding the police?” disaggregated by gender**

<b>Support for defunding the police by gender (n=2304)</b>	<b>Yes</b>	<b>No</b>	<b>Number of respondents</b>
Woman	797	353	1150
Man	312	447	759
Gender fluid, non-binary, and/or other	130	35	165
Prefer not to answer	63	149	212
Not Provided	6	12	18
<b>Total</b>	<b>1308</b>	<b>996</b>	<b>2304</b>

As seen above, 69.3% of women and 78.8% of gender fluid and non-binary individuals indicated support for defunding, as opposed to only 41.1% of men.

We collected self-identified racial identification data during the survey. We provided a list of potential racial identity categories but also allowed respondents to fill in their own identifiers. Due to the complexity of racial self-identification in terms of discrete racial categories, we have had to condense the categorizations listed to make digestible results. Support for defunding by racial self-identification can be seen in the table below:

**Table 4: Survey responses to the question “Do you support defunding the police?” disaggregated by race**

<b>Support for defunding the police by race</b>	<b>Yes</b>	<b>No</b>	<b>Number of respondents</b>
Black	61	80	141
Black, Mixed ancestry Indigenous/First Nations	4	2	6
Indigenous and/or First Nations (includes Status and Non-Status)	24	44	68
White	1038	466	1504
Southwest Asian (eg. Iraqi, Iranian, Jordanian, Palestinian, Syrian etc.)	12	10	22

<b>Support for defunding the police by race</b>	<b>Yes</b>	<b>No</b>	<b>Number of respondents</b>
Southeast Asian (e.g., Vietnamese, Cambodian, Laotian, Thai, etc.)	3	4	7
South Asian (e.g., Indian, Pakistani, Sri Lankan, etc.)	12	4	16
Prefer not to answer	81	337	418
Pacific Island	0	1	1
Mixed non-Black ancestry	32	8	40
Mixed ancestry Indigenous/First Nations	19	22	41
Latin American	5	4	9
East Asian (e.g., Chinese, Japanese, Korean)	7	2	9
<b>Total</b>	<b>1298</b>	<b>984</b>	<b>2282</b>

Support for defunding is concentrated mostly in those who self-identify as White and of Mixed non-Black ancestry, with 69% and 80% of people respectively answering yes to the survey question above. Rejection of defunding is concentrated in those who preferred not to answer and those who self-identified as Indigenous and/or First Nations (includes Status and Non-Status), with 80% and 64% of those groups respectively answering no to the question above.

We also collected data about self-identified disability status, as seen in the table below:

**Table 5: Survey responses to the question “Do you support defunding the police?” disaggregated by disability status**

<b>Support for defunding by disability status</b>	<b>Yes</b>	<b>No</b>	<b>Number of respondents</b>
Disabled/with disability	215	114	329
Without disability	984	705	1689
<b>Total</b>	<b>1199</b>	<b>819</b>	<b>2018</b>

65.3% of those who identified as having a disability or being disabled answered yes to the question “Do you support defunding the police?” as opposed to 61% of those who did not identify having a disability or being disabled.

Respondents were also asked whether they identified as 2SLGBTQQIAP+ as seen in the table below:

**Table 6: Survey responses to the question “Do you support defunding the police?” disaggregated by 2SLGBTQQIAP+ status**

Support for defunding by sexual orientation	Yes	No	Number of respondents
2SLGBTQQIAP+	507	87	594
Heterosexual	698	678	1376
<b>Total</b>	<b>1205</b>	<b>765</b>	<b>1970</b>

85.3% of respondents who identified as 2SLGBTQQIAP+ answered yes to the survey question, as compared to 50.7% of those who identified as heterosexual/not 2SLGBTQQIAP+.

We also asked respondents to identify the police force they most frequently interacted with:

**Table 7: Survey responses to the question “Do you support defunding the police?” disaggregated by police force with which respondents most frequently interacted**

Support for defunding by interactions with police force	Yes	No	Number of respondents
Royal Canadian Mounted Police	74	92	166
Halifax Regional Police	774	431	1205
Both	287	387	674
Don't know / prefer not to answer	157	85	242
<b>Total</b>	<b>1292</b>	<b>995</b>	<b>2287</b>

64.2% of respondents who interacted with Halifax Regional Police only answered yes to the survey question, as opposed to 44.5% of those who interacted with the RCMP, and 42.6% of those who cited interactions with both forces. 64.9% of those who did not know or preferred not to answer indicated support for defunding.

Most of the questions that respondents answered were open-ended to better account for the qualitative and definitional aspects of the Subcommittee’s mandate. We asked survey respondents a series of open-ended questions about their opinions and perspectives on defunding. Quotations from these responses can be found throughout this report.





Figure 2: Word cloud showing responses to the question “Can you highlight any current programs or services that are provided by the HRM that contribute to public safety and wellbeing?”



Figure 3: Word cloud responding to the question “Can you highlight any programs or services that are provided by other community organizations that contribute to public safety and wellbeing?”







Figure 5: Word cloud of responses to the question:  
“What role do you think the police should play in Halifax Regional Municipality?”





These word clouds give us an indication of the themes and topics that are most salient to respondents to the survey, but they are limited in the degree to which they express positive or negative inclinations to each of the topics listed. The rest of this report, therefore, is devoted to engaging with the topics that emerged from the survey in greater depth. It will use quotations garnered from responses as well as relevant policies from other jurisdictions to create recommendations about defunding in the municipality.



# **Chapter 3B:**

Results of Consultation with the National  
Police Federation

# Submission

In response to our call for public engagement, the Subcommittee received a submission from the National Police Federation (“NPF”), dated June 29, 2021.

On July 22, 2021, Dr. Jones and Ms. Julia Rodgers, one of the Subcommittee’s research coordinators, held a follow-up meeting to further discuss the submission and policing perspectives with representatives from the NPF. Attending the meeting on behalf of the NPF were Brian Sauvé (President), Jim Clifford (Atlantic Region Director), and Sarah Nolan (Director, Government Relations & Policy).

## Background

According to the submission, the NPF is the sole certified bargaining agent representing about 20,000 Members of the Royal Canadian Mounted Police (RCMP) across Canada and, including about 970 RCMP Members in Nova Scotia. In Nova Scotia, there are 55 RCMP detachments, serving 40 municipalities and 13 First Nations communities across the province, serving Nova Scotians at the provincial, municipal, and federal levels through over 145,000 calls for service annually.

## Police Perspectives on the Role of Police in Community

The submission from the NPF emphasized the role of police officers in their communities beyond policing functions:

Our Members enter policing because they want to make a positive difference in the communities they serve. They participate in anti-drug initiatives, youth education against gangs, anti-bullying programs; they volunteer to coach sports teams and raise funds and supplies for local food banks and shelters; among other initiatives. Our Members have all signed contracts with Canadians to protect their lives and rights – even at the expense of their own.<sup>96</sup>

The submission from the NPF emphasized the role of police officers in their communities beyond policing.

## Police Perspectives on Defunding

Referring to the July 9, 2020 staff motion for a definition of defunding (i.e., the “police performing policing functions” definition discussed in Chapter One), the NPF submits that:

The NPF supports, in principle, the above definition of “defunding” – it is not about removing funds from police and public safety, but about refunding much needed social services. Over the

past year the NPF has been advocating to all levels of government on the importance of properly funded social services and the need for adequate mental health supports for all Canadians. Communities deserve to have properly funded social and public safety services and to that end, all governments must work together to guarantee that enough funding is being allocated for both current and future needs.

Drawing upon this submission as well as our follow-up conversation, it is fair to recognize that policing organizations also share concerns about many of the same issues raised in community consultations, particularly around inadequate funding for mental health supports. Recognizing these areas of common ground is important in shaping directions for shared dialogue between police, government, and community organizations.

While some survey respondents indicated concerns that public discourse critiquing police responses to mental health crises—particularly the critique of police involvement in “wellness checks”—could undermine police authority and ability to do their jobs in community, it is encouraging to see a police perspective that acknowledges that the police are not adequate to meet every social challenge, and which in particular recognizes the necessity of an appropriate framework for mental health that does not simply download these issues onto police.

However, it is also important to acknowledge that while the NPF supports adequate funding of social services, they do not support defunding the police. In both their submission and in our subsequent conversation, they are clear that both social service provision and policing should be adequately funded.

## Police Perspectives on Funding for Social Services

The NPF emphasizes that police members have been impacted by disinvestment from social services by all levels of government. From the police perspective, officers are called upon to fill the gaps created by inadequate public resources:

Increasingly, police officers are asked to carry too heavy a load due to dwindling resources, and growing demand. Canadians, and our Members, want to see more funding for much needed critical services that help alleviate pressures on vulnerable Canadians and, by extension, the police. All governments must do more to ensure that all communities have the front-line public safety and social services needed to help Canadians lead happy, healthy lives.

The NPF also argues that, while the demand for police services to address these issues increases, the police are being underfunded:

For too long, our Members have been called on to fill the gaps in the absence of properly funded mental health and social services. While at the same time, RCMP detachments are underfunded across the country.

Consequently, they describe the impact to the mental health and well-being of police officers: “Our Members are

consistently told to ‘do more with less,’ when they are already overworked, overstressed, and under-rested.”

From the perspective of the Defunding Subcommittee, we share both the recognition of and concern associated with the effects of decades of policies that have defunded social services and replaced these community supports with police intervention and criminalization. According to Huey, Cyr and Ricciardelli, “internationally, austerity challenges have shaped policing for decades”, including in Canada where:

continuing economic pressures post-2008 mean that many, if not most, police agencies are grappling with budget cuts and these cuts come at a time when the demand for police services remains high. Further, the possibility of reduced, staggered, or cut services can trigger panics over real or imagined loss of police legitimacy. In essence then, police are left trying to satisfy what appear to be two contradictory sets of demands: cut costs, but do not cut public services.<sup>97</sup>

## Police Perspectives on Policing Mental Health

A substantial portion of the NPF submission focuses on mental health. They emphasize the complexity of calls where mental health issues are a contributing factor and the role of the police in responding:

Police calls responding to someone in crisis and/or with mental illness are not always routine and can vary in complexity. Our Members are encouraged to focus on protecting those involved and at risk through crisis intervention, de-escalation, and avoiding use-of-force in these situations.

Citing the 2014 Report on Police Encounters with People in Crisis, they advocate that:

Improved responses to people in crisis would involve learning how to prevent people in crisis encountering or requiring the police. For example, better referral options to the community could divert individuals to treatment and support and avoid ‘crisis encounters.’

An example provided of increased collaboration between police and community resources are Mobile Mental Health Crisis Response Teams, which provide de-escalation, referral to community services, and diversion from the criminal justice system.

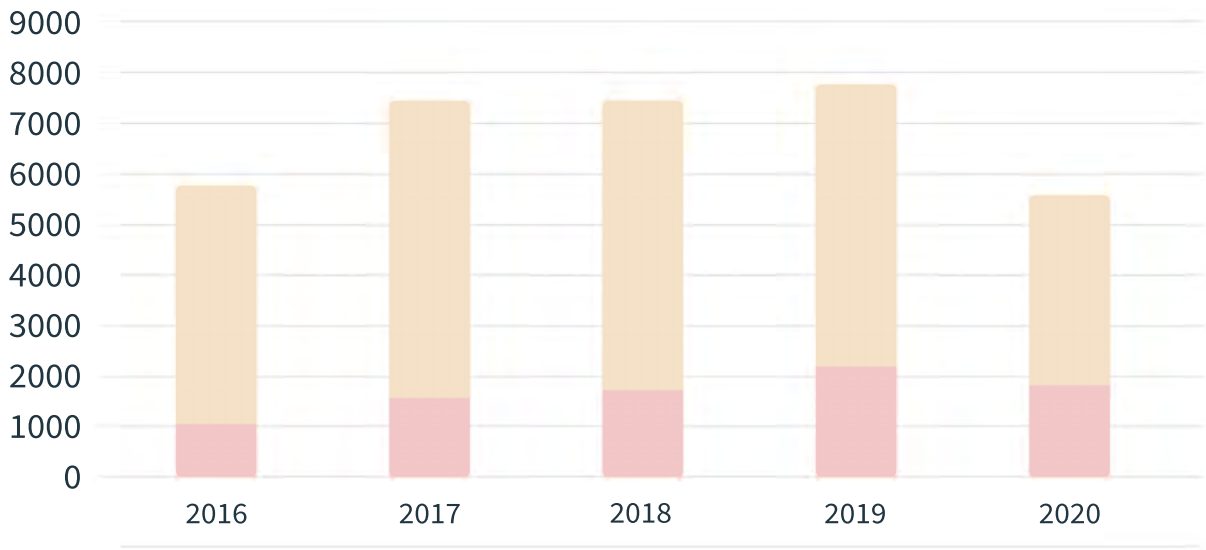
## Statistics on Mental Health Calls

The NPF submission provides some valuable insight into the nature of calls received by the police. In particular, they provide background regarding the volume of calls related to mental health:

In Nova Scotia, from 2014 to 2019, the number of Mental Health Act occurrences has increased by almost 70% - from 3,339 to 5,674 calls. **The count of RCMP wellbeing check occurrences has also increased by 80% between 2016 and 2020.**



## *Mental Health and Well-Being Check Occurances in Nova Scotia*



**Table 1: Count of RCMP well-being check occurrences and Count of RCMP Mental Health Act occurrences in NS.**

\*Nova Scotia includes H Division PROS and Halifax District Versadex.

\*\*Mental Health Act occurrences - Nova Scotia includes H Division PROS for all years and Halifax District Versadex beginning in 2014.

\*\*\* Data for 2020 includes January 1, 2020 to August 31, 2020, inclusive.

## Suggested Initiatives and Solutions

One tool recommended by the NPF is HealthIM, which is a mental health screen to help determine if someone is at risk of harming themselves or others, and informs the officers' decision on apprehension, a hospital visit or referral for community services. The HealthIM resource ensures police center on the person in crisis and helps determine a pathway that best supports their needs. The NPF argues that this tool reduces the amount of time officers spend transporting or waiting with individuals in hospital. The tool is designed to:

- improve officer response to mental health crises. The Manitoba RCMP implemented the new resources and have been using it successfully with great results. Other provinces are in the early implementation phase of adoption or are taking a closer look at this new tool.

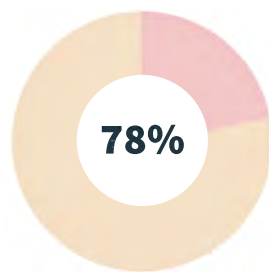
The NPF explains that, in Manitoba:

Between July 2019 and June 2020, HealthIM was used 4,087 times, and in 28.5% of cases, the person remained in the community and did not require hospitalization or other urgent interventions. In the same time period, Manitoba has seen a 57.5% decrease in apprehension rates and a 68% decrease in average hospital wait times.

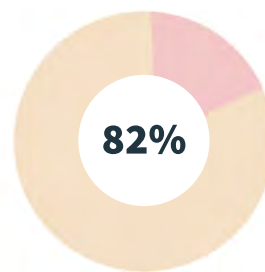
## NPF Public Engagement on Policing and Social Services

Included in the submission are the results of a Pollara Strategic Insights survey conducted between June 17 and 22, 2020. According to the NPF data:

Canadians agree that properly funding social services would significantly help alleviate thousands of potentially dangerous interactions between police and citizens every day. In that same survey, the majority agreed that both policing and social services need to be adequately funded.

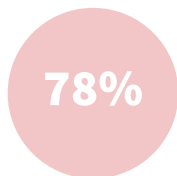


Agree that both policing and social services need to be adequately funded.

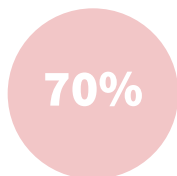


Agree that properly funding social services would help reduce dangerous interactions between police and citizens.

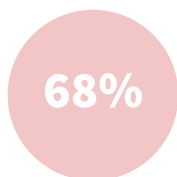
A more recent survey, conducted in Nova Scotia in March, 2021 by the same company, indicated that 67% strongly agree that federal and provincial governments need to ensure policing levels are maintained at proper levels.



in RCMP-served communities satisfied with RCMP policing.



believes the RCMP is accountable to the community it serves.



have a favourable impression RCMP officers.

In light of these results, the NPF conclude:

This is why the NPF has been constantly advocating on the importance to properly fund not only social services, but also policing and public safety. Conversations around this issue should not be about “defunding” the police, but rather on how governments can provide adequate human and financial resources to address policing and social services’ challenges.

# **Follow-Up Conversation on July 22, 2021**

On July 22, 2021, Dr. Jones and Ms. Rodgers met with representatives of the NPF to clarify their position and follow-up on their submission. Topics expanded upon in this conversation included:

## ***1. Impact of frontline work and trauma on police officers:***

NPF representatives also noted that police officers also experience issues of mental health and other social challenges within their own families and communities. They noted that occupational stress has increased in recent years, and that officers perform their jobs under great public scrutiny.

## ***2. The effect of burnout on police:***

Representatives from the NPF indicated that many officers return to work before they are recovered (physically and/or mentally). They identified staffing shortfalls that also lead to service shortfalls.

## ***3. The difficulties of serving remote communities:***

In such communities, there may be limited or no health care facilities or provisions for mental health care.

## ***4. Engaging a “refunding” framework:***

Representatives from the NPF stressed that the focus of public discussions should be on how to successfully refund social services and public safety through policing.

## ***5. Models for increased “civilianization”:***

Examples given included a recent pilot project in Regina which includes psychiatric nurses and social workers embedded within dispatch in order to better direct calls involving mental health crises and while the file progresses. However, they observed that mental health calls cannot necessarily be disconnected from their intersections with other areas of police concern. They also cited Car 86 in Vancouver, which we discuss at greater length below, as examples of potential models for mental health response. In regard to civilianizing duties such as bylaw enforcement and traffic control, they indicated safety concerns, particularly at traffic stops which they termed as “volatile.” They noted that many “illicit commodities” are moved by vehicles. They suggested that to the public, “enforcement is enforcement,” and that the public would not necessarily react differently to a non-police enforcer. They recognized that in some jurisdictions, private security firms are increasingly being contracted such as being used to guard crime scenes.

## ***6. HRM’s integrated policing model:***

NPF representatives stressed that there is a co-operative relationship between the HRP and RCMP, where it is not uncommon to see RCMP and HRP called to back up each other’s members.

## ***7. Access to police policies and procedures:***

They suggested that, from their perspective, release of information can be circumstantial depending on the context of the request. They pointed to the Canadian Society of Evidence Based Policing as one initiative that brings together “police practitioners, academic researchers, public policy-makers and others” to “generate, use, and share high quality applied research to help inform evidence-based police practice in Canada.”

## ***8. Policing and homelessness:***

They contended that enforcement and response is often shared between many actors, including police and fire services, and that police are often responding to court injunctions. They suggested that the homelessness crisis is driven by numerous and complex factors including failures of probation services and inadequate housing options upon release from incarceration, the revolving door of the legal system, difficulties in rural communities that are underserved, amongst others. They referred to a “spider web” of intermingled factors.

## ***9. The impacts of government austerity policies:***

NPF representatives argued that over decades of cost-saving, many cuts have come at the expense of public services. In their view, all governments have taken structures away without providing additional resources. Police training is one area they indicated, suggesting that while more training is consistently recommended in numerous reports and inquiries, associated funding is not often provided.

## ***10. Public education on public safety:***

They indicated that there is often a gap between how the public understand the role of public safety and the responsibilities of the police. They suggested the need to move beyond a “narrow view” of public safety, and to incorporate one that also includes issues such as feeling safe walking outside the house, access to spaces like community gardens, safety crossing the street, etc. as well as crime and crime prevention. Additionally, they suggested broadening the scope of inquiry beyond the police and also including other institutions and organizations, recognizing that public safety takes place at many sites (such as by including the Department of Fisheries and Oceans, Parks Canada, etc.) within these conversations.

## **Discussion of NPF Submissions and Follow-Up Meeting**

In this chapter, we have endeavoured to provide a robust overview of our consultation with the NPF. Through these engagements, the Subcommittee wished both to understand and clarify police perspectives on defunding, and also to seek their perspective on potential solutions and initiatives.

While the NPF takes a strong stance against defunding the police, there are nonetheless shared areas of agreement and concern about the inadequate funding of social services; the use of police to fill roles that could more appropriately be filled by service providers; the need for increased diversion from criminal systems for those experiencing mental health crises; and the complex problem of the police responses to unhoused people. This report elaborates upon academic and community submissions on these topics.

It is encouraging that, despite a clear disagreement about whether to defund the police in any capacity (including through partial defunding, budget freezes, etc.), there are nevertheless many areas of shared concern regarding the criminalization of social issues. We find these points a constructive starting place for further dialogue.

Further sections of this report offer substantial responses to issues raised in our engagement with the NPF from community organizations, researchers, legal scholars, and service providers, among others. As the NPF observes, “recent and ongoing conversations, protests, and education around policing and public safety are an important expression of our shared desire and commitment to change.”

One challenge of the preferred solution by the NPF—which is that both social services and policing should be adequately funded and that both sectors should collaborate together for public safety—is the uneven power relationship that exists between the police and civilians. Sulaimon Giwa (2018), for example, argues that the shift to community policing models in Canada through the 1970s and 1980s was prompted by various factors including shared problem solving with community groups that allows police to respond to the increased demand on their services; a response to the increased competition from private security forces; and a need for greater public accountability as demonstrated by the establishment of police oversight models.<sup>98</sup>

However, citing the numerous studies and reports on systemic racism, police profiling, and over-policing of racialized communities, Giwa cautions that:

[D]espite the use of the word community in community policing, the extent to which the public can actually influence police policy and practice remains unclear. From a policing standpoint, one possible advantage of the ambiguity of community policing is that it allows police organizations to define the concept according to their organizational needs, mainly to “improve the image of the police in the community” (Henry & Tator, 2009, p. 172). The ideological orientations of community policing allow police organizations to appear responsive to the public while at the same time knowingly or unknowingly glossing over the fact that their relations with racialized communities are structured along axes of privilege and subordination. The approach thus lacks any substantive commitment to “establish the subordinated party as a full partner in social life (Fraser & Honneth, 2003, p. 30).<sup>99</sup>

Giwa points out that, despite community policing initiatives largely being a response to critiques raised regarding the policing of racialized communities, studies show that white communities benefit more than their racialized counterparts.<sup>100</sup> While white communities find benefits from initiatives such as Neighbourhood Watch, racialized communities do not report similarly positive experiences with initiatives such as police in schools. Giwa cautions that, without a true commitment to genuine power-sharing, community policing initiatives risk being perceived as “simply tokenism or a publicity stunt that offloads responsibilities for burdensome tasks”.<sup>101</sup>

Therefore, while a proposal that maintains or increases police funding, while also funding social services, may present as a “best of both worlds” solution, it is important to caution that in these scenarios the police oftentimes have outsize power and access to force. In situations where medical personnel, for example, work within settings such as prisons, the overall processes and institutional cultures often default to prioritizing security over care.<sup>102</sup>

Moreover, while police budgets have consistently increased in Canada, public services, including social service delivery, have not. To provide just one example, despite a historic increase in income assistance rates in January 2020, calculations done by human rights lawyer Vince Calderhead show that the real value of income assistance in 2020 is less than it was in 2014 when adjusted for inflation.<sup>103</sup> This trend of inflation outpacing assistance increases has been happening since at least the early 1990s, when income assistance rates ceased to be federally regulated. As Mark Culligan, community legal worker with Dalhousie Legal Aid, puts it, for this reason, “it’s harder to be poor now than it was 30 years ago.”<sup>104</sup>

In other words, there has not been a parallel disinvestment from police, which serves as a material indicator that the policing and punishment response to social issues has long been privileged over other interventions. Without confronting the taken-for-granted assumptions about public safety that lead to a reliance upon police and a criminalizing of social problems, it is difficult to imagine both sectors being equally empowered to address these issues.



# Chapter 4:

Framework for the Definition

# Key Takeaways



The Subcommittee has tried to find a middle ground between the two extremes of just offering a definition of “defunding the police” versus prescribing step-by-step how to defund the HRP.



The Subcommittee has been guided by the Edmonton Community Safety and Well-Being Task Force’s 2021 report *Safer for All*, which says that “defunding the police” means “to allocate money in preventive and community-building ways, rather than in reactive and militaristic ways.”



The Subcommittee’s recommendations are aligned with HRM’s Public Safety Strategy, to the extent possible.



The Subcommittee’s recommendations on “defunding the police” are based on 4 pillars:

- **Pillar #1:** Reforms to police practices, oversight, and accountability.
- **Pillar #2:** Reforms aimed at “detasking” police and “retasking” more appropriate community service providers.
- **Pillar #3:** Legislative, regulatory, and policy reforms intended to promote community safety.
- **Pillar #4:** Financial reforms aimed at tying police budgets to clear performance metrics and encouraging public participation in municipal budgeting, with the ultimate intention of decreasing budgetary allocations to police and increasing allocations to community-based social services.



# Finding a Middle Ground

The Police Board requested that the Subcommittee develop a definition of “defunding the police” to inform the Board’s work.

As Dr. El Jones noted in her initial comments to the Police Board when she accepted her appointment as Chair of the Subcommittee, defining defunding is a relatively simple task. The complexity comes from putting the definition into practice: “while defining defunding may be straightforward in theory, what is more complex is what that looks like and how it can be put into practice. That is to say, while it’s simple to say that defunding involves removing resources from policing and investing them in community, more complex is finding consensus around what roles belong to the police, what exists to replace police services, and ideas of safety and risk.”<sup>105</sup>

There are clear limits on the Subcommittee’s ability to lay out the precise details of how defunding can be put into practice. Based on our public consultation, it’s clear that some members of the public would like the Subcommittee to recommend a specific amount of money to be taken from the police budget annually and redistributed to other community services. However, the Subcommittee is not well-positioned to provide this kind of fine-grained recommendation. To do so, we would need more and better data from the HRP and RCMP, as well as other business units within the Municipality; a clearer sense from community service providers about their capacities to take on new service-provision roles, along the funding they would require to do so, and the potential source(s) of that funding; a bigger and more comprehensive research and consultation process; and a better understanding of the role of the provincial government in moving everything forward.

We have tried to find a middle ground between the two extremes of just offering a definition versus prescribing step-by-step how to defund the HRP. In this respect, we have been guided by the Edmonton Community Safety and Well-Being Task Force’s 2021 report *Safer for All*. In their own discussion of what “defunding the police” means, the Task Force writes that this phrase means “to allocate money in preventive and community-building ways, rather than in reactive and militaristic ways.”<sup>106</sup> For the Edmonton Task Force, the essential idea behind defunding the police is that investing public funds in health, education, social supports, and other human development will lead to a more equitable community with less poverty, fewer health and social challenges, and — ultimately — less demand for police.

In the remainder of this report, we lay out a suite of reforms drawn from our public consultation that align with this sentiment, and so are in keeping with the spirit of the movement to defund the police. In this way, our recommendations are designed to bring about a wholesale shift away from a reactive, enforcement-based model and towards a proactive, supportive model of community safety.<sup>107</sup>

# Alignment with the HRM's Public Safety Strategy

Generally speaking, our recommendations map onto the framework of the HRM Public Safety Strategy. The Strategy incorporates a “spectrum of action and intervention” in service of meeting its objectives: to reduce crime, increase community resilience, and improve community safety.<sup>108</sup> This spectrum consists of four stages:

## **1. Social Development:**

intervening to reduce risk factors and/or enhance protective factors in the general population.

## **2. Prevention:**

identifying at-risk individuals or communities and intervening to reduce risk factors and/or enhance protective factors.

## **3. Risk Intervention:**

responding to acutely elevated risk situations to mitigate harm and decrease the likelihood of (re) victimization.

## **4. Emergency Response:**

immediate response to urgent incidents to stop harms, minimize victimization, and hold individuals responsible.



**Figure 1: HRM Public Safety Strategy's spectrum of action and intervention**

The recommendations in the next three chapters align with this spectrum. First, we recommend reforms to many aspects of policing in the HRM, including conduct, training, transparency, governance, and accountability. These recommendations largely complement the second, third, and fourth stages of the Strategy.

In the next chapter, we work to situate the role of the police in the larger community. Specifically, by critically examining the roles, services, and functions taken on by policing services, we identify opportunities for “detasking” — that is, the delegation of current police tasks to more appropriate organizations and institutions, thus reducing the negative consequences of police engagement in unsuitable activities and reducing the police budget. Although many of these “detasked” services fall within the second and third stages of the Strategy, our recommendations for reforms to the way mental health crises are responded to in the HRM — the most commonly cited concern identified through our public consultation — also touches on the fourth stage: emergency response.

Third, we broaden our scope even further to consider necessary social reforms identified through our public consultation that align with the first and second stage of the Strategy: social development and prevention. At the same time, we also outline processes by which the public as a whole can be better engaged in “operationalizing” defunding going forward.

# The Pillars of Defunding

Given the Police Board’s initial request that the Subcommittee produce a definition of defunding, we conclude this chapter by outlining what we call the four “pillars” of defunding. Although they overlap and complement each other in different ways, these pillars encompass the four sets of reforms discussed in the next three chapters:

- ***Pillar #1***  
Reforms to police practices, oversight, and accountability;
- ***Pillar #2***  
Reforms aimed at “detasking” police and “retasking” more appropriate community service providers;
- ***Pillar #3***  
Legislative, regulatory, and policy reforms intended to promote community safety; and
- ***Pillar #4***  
Financial reforms aimed at tying police budgets to clear performance metrics and encouraging public participation in municipal budgeting, with the ultimate intention of decreasing budgetary allocations to police and increasing allocations to community-based social services.

These four pillars represent “community-centred” reforms in the sense that they rest on a principled foundation of trust and community accountability. Community-centred models of social reform promote accountability and transparency, create more knowledgeable and empowered individuals, and build trust between the public and the government, which is particularly important in light of the inter-generational and systemic distrust that exists within many Black, Indigenous, and other marginalized communities.

However, in order for these principles to be meaningful, they must yield tangible results. Otherwise, they risk being mere “window dressing.” For example, Gene Rowe and Lynn Frewer argue that community accountability techniques are not democratic unless those in positions of power are obliged to utilize public experiences to improve the practices.<sup>109</sup>

Currently, community input is largely restricted to public officials listening to citizens explain their experiences rather than making them equal partners in decision-making. This approach does not actually enhance accountability, but instead maintains the status quo. Ciara Fitzgerald et al. argue that the only way to measure accurately the extent that these principles influence practices is through hard data and clear policy outcomes.<sup>110</sup>

Accountability and transparency are, in fact, the guiding principles of our proposed reforms, animating every factor of our approach. This report emerges from the community, and the potential successes of our approach can only be measured by community feedback.



# Chapter 5:

Reforms to Police Practices, Oversight, and  
Accountability

# Key Takeaways



The history of policing in Canada reveals tensions over the proper role of the police in the community.



Many survey respondents said they wanted police to be more visible in their communities and thought this was a way to build trust between police and community members.



Survey respondents reported a range of interactions with the police, positive and negative, from officers going “above and beyond” to officers “over-responding” to the circumstances.



The Subcommittee has decided against recommending further training for police, believing it is more productive to focus on actual police practices. One of the Subcommittee’s recommendations is for the Police Board to explore opportunities for disarming certain groups of officers, such as community response officers, and minimizing the use of firearms by police.



The Subcommittee also makes several recommendations to enhance police oversight and accountability, which will require the Police Board to fully exercise its civilian governance and policy-making role under the Police Act.



For example, these recommendations call on the Police Board to direct HRP to immediately make its policies and procedures available online; establish a representative committee to study the current police complaints process, to inform potential amendments to the Police Act; and reject any additional funding requests from the HRP or RCMP for body-worn cameras (which are not the accountability tool they are sometimes made out to be).

# A Short History of Policing in Canada

Formal police forces in what we now call Canada date back to the 1650s, where watchmen patrolled the streets of Quebec City. These officers scarcely resembled the modern, organized forces of today. Instead, the watchmen of 17th century New France were appointed by justices of the peace, and their roles also included being tax collectors, sanitation inspectors, and cleaners.<sup>111</sup> Municipalities in what became Ontario followed a constabulary model that mirrored the rudimentary systems set up in England that allowed for freelancing and often corrupt constables to maintain the post-feudal social order.<sup>112</sup> As municipalities like Toronto and Halifax began to incorporate in the middle of the 19th century, they set up local oversight of police, taking inspiration from the colonial model.

The main innovation of the era as it relates to urban policing was the establishment of the Metropolitan Police Department in London, England in 1829. Founded by Sir Robert Peel, the force was a highly organized and hierarchical organization that promoted from within, but was staffed by civilians. It differed from existing forces by focusing on “preventative policing,” or the surveillance of communities via patrol as well as deterrence of crime via detective work.<sup>113</sup> The Metropolitan Police model was to be conducted according to Peel’s nine principles of policing, which highlight a consensual, relationship-driven approach to policing. In Canada, municipally-governed forces quickly sprouted following Peel’s model, with Halifax’s forces being founded in 1864.<sup>114</sup>

## *Peel’s Nine Principles of Policing:*

1. The basic mission for which the police exist is to prevent crime and disorder.
2. The ability of the police to perform their duties is dependent upon public approval of police actions.
3. Police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.
4. The degree of cooperation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.
5. Police seek and preserve public favour not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law.
6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient.
7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

These forces operated in contrast to the imperial paramilitary model of the Royal Irish Constabulary, which Peel also governed during his time as Chief Secretary for Ireland in the 1810s, and which was replicated in a Canadian context by the North West Mounted Force (later, the RCMP).<sup>115</sup> The imperial paramilitary model had far less room for community engagement, operating under the broad aegis of command and control. These paramilitary forces operated as the “missionaries of European civilization”—the engines of settler colonialism whose primary role was to quell rebellions amongst the people whose lands and resources they stole, and whose culture they attempted to quash.<sup>116</sup>

In practice, however, the approaches to policing listed above often overlapped, and the idealized Peelian framing of policing stood far apart from the realities of the development of these institutions. After rebellions in Montreal and Quebec City, for instance, municipal governance of police forces was temporarily suspended by the colonial government in favour of the paramilitary approach.<sup>117</sup> More often than not, in Canada as in other ‘White Dominions,’ colonial governments and municipalities alike blended approaches depending on the perceived needs — and racial/ethnic make-up — of the territory they intended to govern.<sup>118</sup>

## Impressions of Policing in HRM

Peel’s framing of the “police as the public, and the public as the police” is reflected in some Haligonians’ perception of the police. This concept was evident in the Clairmont Report, where, in the context of recommending the creation of a Community Support Officer pilot project, Clairmont wrote:

It was noted throughout virtually all aspects of the Roundtable that there is a strong demand among the public for more policing, but not necessarily more police officers. **The demand is for visibility and presence,** crime prevention information and programs, and help in local problem solving, especially in the urban core areas where the reality and the fear of violence and risk is greatest, and, through the prism of which, much HRM public safety concern is reflected.<sup>119</sup>

This sentiment likewise appears in a large number of our survey responses. When asked whether there were current roles provided by the police that should receive greater attention and resourcing, many respondents called for increased foot patrols, more community outreach, and greater visibility in neighbourhoods in order to enhance public feelings of safety and deter crime. Further, respondents felt strongly that increased visibility and presence are important for improving community relationships, and building trust. As one respondent noted, “when you can relate to/understand your community, you are more apt to help it thrive.”

In addition to the perceived need by many community members for increased police presence and enhanced community relationships, it is important to account for the values and perspectives of officers themselves, who exist within and engage with their broader community. This sentiment was expressed by the National Police Foundation:

Our Members enter policing because they want to make a positive difference in the communities they serve. They participate in anti-drug initiatives, youth education against gangs, anti-bullying programs; they volunteer to coach sports teams and raise funds and supplies for local food banks and shelters; among other initiatives. Our Members have all signed contracts with Canadians to protect their lives and rights — even at the expense of their own.



*“To me, it appears resources are not being used properly when you see far more units show up for an accident or incident than appear to be required. As a shelter staff member I have needed to call police twice to provide support and both times the officers were appropriate and used de-escalation skills.”*

*“Very professional. Very caring.”*

However, not everyone experiences the presence of police in the community the same way. For some, the HRP feels more like the type of paramilitary force described above.

Many respondents expressed hesitancy towards the police, out of fear that, as one person put it, “the response may escalate to a dangerous point.” Others described being afraid of the police, either when passing them on the street or when interacting with officers.

As discussed more fully below, others described many circumstances where they perceived that the police responded in a manner that was unprofessional or disproportionate to the incident in question. One respondent noted that the police “feel like an occupying force in the city — all of my interactions with them are tinged with fear and disgust I am afraid will show on my face and get me in trouble.”

The remainder of this chapter outlines a number of reforms, drawn from our public consultation and informed by best practices in other jurisdictions, which are intended to ameliorate these differences in experience and better promote equitable delivery of policing services in HRM.

# Conduct Training

In our survey, we asked people to describe their interactions with policing services in HRM. In response, members of the public described a broad range of interactions, which included traffic stops, noise complaints, wellness checks, crime investigation, community outreach, arrest, and detention.

Many respondents described the officers they interacted with as professional, helpful, comforting, and non-judgmental. In some of these stories, people made clear that they felt that the police had gone “above and beyond” by responding to mental health crises with kindness, understanding, and appropriate de-escalation skills; providing drives and referrals to other services for people in need; and offering tips and advice on how best to promote safety and security after a break-in.

Others recounted incidents where they perceived that the police had acted unprofessionally, escalated the situation at hand, or responded in a manner that was somehow disproportionate in the circumstances. For example, we heard about many incidents of perceived “over-responding” on the part of police. In their submission to the Subcommittee, staff from Out of the Cold shelter addressed this issue specifically, writing:

Staff at OTC have witnessed a number of concerning behaviour[s] from HRP officers on site that jeopardize the safety of our community. A commonality amongst many of these concerns involves what staff, residents, and community members feel is ‘excessive responding’ on behalf of HRP. There have been instances where even after a reported incident was de-escalated or resolved, a large trail of cop cars would show up on site ... On the topic of shoplifting and petty theft, residents expressed that generally many more police responded than were needed, and that those situations could be better handled without the HRP’s often forceful and escalating confrontations.

*“A friend was once pulled over with me in the car and it was a standard stop but five other police cars pulled up. It was so stressful for no reason, ... my friend driving just forgot to turn her lights on or something.”*

*“Often police escalate a situation making the risks higher for both the person who is the “victim” [and] the “perpetrator” [which] increases the chances that they will continue to have violent behaviour.”*

In response to allegations like these, many reports and studies on policing recommend that police engage in more and better training. The Wortley Report is a good example:

- **Recommendation 4.2:** The HRP and RCMP should continue to develop and implement mandatory anti-bias, cultural competency and race relations training.
- **Recommendation 4.12:** It is recommended that the HRP and RCMP develop additional training modules that will improve officer adherence to the principles of procedural justice and ensure respect for civil rights during all civilian encounters. Such training should focus on developing officer communication skills and their ability to explain lawful police actions to civilian actors.
- **Recommendation 4.13:** It is recommended that the HRP and RCMP develop new policies to address the police code of silence and empower officers who challenge the illegal or unprofessional activities of their colleagues. Officers should receive continual training with respect for both existing and emerging departmental regulations. Punishment for the violation of these regulations should be clearly communicated and consistently enforced.<sup>120</sup>

In this report, the Subcommittee has decided against recommending further training for police for two reasons.

**First, there’s no guarantee that any recommendations regarding training will be actually implemented.**

For example, in the Wortley Report Recommendations Tracking Document maintained by the Police Board, the HRP have listed Recommendation 4.2 as “COMPLETED (aspects ongoing in the long term),” referencing their Journey to Change and Legitimate and Bias Free training programs, which were introduced in 2020.<sup>121</sup> However, despite Dr. Wortley’s recommendation being for mandatory training, an independent human rights board of inquiry found earlier this year that the Journey to Change program is “optional and currently at the pilot stage.”<sup>122</sup> At a September 20, 2021 meeting of the Police Board, Chief Dan Kinsella confirmed that, though it is very popular with officers, the program is in fact optional, except for cadets in the HRP’s Police Sciences course for whom it is a mandatory part of their training.

The same human rights board of inquiry found that, after first offering its Legitimate and Bias Free training program for the first time in 2009, the HRP waited nine years before finally offering the program again in 2018.<sup>123</sup>

**Second, there’s no guarantee that, even when training is implemented, it will be effective in achieving its stated purpose.**

For example, as part of its annual two-day block training in 2017, the HRP offered a one-day “Verbal Judo” course focused on de-escalation tactics, with the other day devoted to use of force recertification.<sup>124</sup> Verbal Judo is meant to provide officers with the tools necessary to resolve situations without the need for coercive force wherever possible, in particular to achieve “voluntary compliance” through “the gentle art of persuasion.”<sup>125</sup>

An assessment of the immediate behavioural impact of the program on HRP officers, which used systematic observations of officers in videotaped simulations compared against a baseline group of officers, concluded that it had only a “modest” impact overall.<sup>126</sup> Specifically, it found that only five of 15 coded behaviours were positively impacted at a statistically significant level, and these tended to be simpler behaviours encouraged by the training (such as identifying oneself or providing a reason for contact), while more complex behaviours (such as empathizing with the subject) were not impacted.<sup>127</sup> Troublingly, the evaluation also found that the likelihood

of utilizing de-escalation skills decreased as an officer's years of experience increased.<sup>128</sup>

Before the police can be asked to do more training, we need a better sense of the training they are doing now: what it is, how it is delivered, and whether it is meeting its stated purpose.

Another thing to think about is whether the training police currently receive is adequately in “sync” with the actual realities of the job. Consider, for example, the 50/50 split between de-escalation tactics and use of force recertification in the HRP's two-day block training in 2017. Numerous academic studies have found that officers spend a significantly larger proportion of their time attending to non-criminal matters, responding to false burglar alarms, and settling interpersonal disputes than they do addressing violent crime.<sup>129</sup> These findings were also borne out in the Partners in Policing report referenced in Chapter Two.<sup>130</sup>

## **Accordingly, the Subcommittee recommends:**

- 1.** The Police Board should conduct a comprehensive independent review of all training programs delivered by the HRP and RCMP, with the aim of promoting transparency, accountability, and public confidence in the training police receive. At a minimum, this review should evaluate:
  - A.** the effectiveness of training programs, both generally and specifically for officers with different years of experience;
  - B.** the effectiveness of the annual “block” training model for the short- and long-term retention of knowledge and skills;
  - C.** how decisions regarding training delivery are made, including:
    - i.** which training programs are offered, when, for how many hours, and to how many officers;
    - ii.** which training programs are optional or mandatory and why.

# Conduct

## Use of Force

There is surprisingly little empirical research on police use of force in Canada, but the existing data are concerning. In June 2021, the Canadian Criminal Justice Association, led by Dr. Scot Wortley, conducted an analysis of all available Canadian police use of force data (the “CCJA Report”).<sup>131</sup> Several significant findings emerged from this analysis, including:

- The data suggest that deadly police use of force incidents have not declined significantly over the past two decades — even after taking population growth into account. **Nationwide, the deadly force rate, per 100,000, actually increased by 28% over the past two decades**, despite a growth in de-escalation training and alternative use of force options.
- Comparisons across Canadian jurisdictions are highly problematic due to different data collection and dissemination standards. However, the existing data suggest that, similar to data on crime patterns, police use of force rates gradually increase as we move from east to west. Use of force rates are lowest in the Maritime provinces, followed by Ontario and Quebec. They are highest in the western provinces and in the northern territories.
- The data indicate that both fatal and non-fatal shootings have increased in Canada **over the past decade. For example, between 2010 and 2019, RCMP fatal shooting increased by 39% and non-fatal shootings increased by 50%. There was also a 12% increase in RCMP officers pointing firearms at civilians.**
- The use of Conducted Energy Weapons (CEWs), like Tasers, has also increased dramatically across Canada. For example, between 2010 and 2019, RCMP CEW deployments increased by 134%. There was also a 31% increase in RCMP officers pointing CEWs at civilians.
- On the other hand, the police use of both soft (restraining techniques, joint locks and non-resistant handcuffing) and hard (strikes, punches, kicks) control techniques has dropped significantly. For example, between 2010 and 2019, the RCMP observed a 46% decline in baton strikes, a 51% decline in the use of pepper spray, a 56% decline in the use of hard control techniques, and a 47% decline in the use of soft control techniques.
- An analysis of use of force forms/reports reveals that: 1) data collection standards vary dramatically by jurisdiction, and 2) various police services are more than capable of collecting detailed information about use of force incidents. This finding provides evidence that a standardized system for collecting and disseminating use of force data is feasible.<sup>132</sup>

The CBC deadly force database reports that, **from 2000 to June 2020, police use of force killed 555 people in Canada.** The number of deaths where police were involved is higher still, as the database does not include “in-custody deaths, self-inflicted wounds as a result of suicide or attempts to evade police, or accidental police-caused deaths (such as a traffic accident).”<sup>133</sup>

Researchers have highlighted disturbingly consistent national trends from nearly two decades of data:

- The number of deaths has continued to rise over the past 20 years, even when corrected for population growth.
- Indigenous people account for 16% of the deaths but only 4.21% of the population (annualized over 20 years), and Black people account for 8.63% of deaths and only 2.92% of the population.
- 68% of people killed in police encounters were experiencing some kind of mental illness, addiction, or both.<sup>134</sup>

Research from other jurisdictions shows that it doesn't have to be like this.

Norway is one of 19 countries worldwide where police officers are typically unarmed, and permitted to use guns only in exceptional circumstances.<sup>135</sup> These countries, which include the United Kingdom, Finland, Iceland, and New Zealand, seldom see deadly incidents involving police officers. While 21 people were killed by police across Canada in 2019, Norway saw no deaths at the hands of police officers for the same year.<sup>136</sup> Likewise, just 6,653 officers are authorised to use firearms in England and Wales — about 5% of all officers.<sup>137</sup> Between March 2016 and 2017, police there fired seven bullets total.<sup>138</sup>

Here in Canada, demands to disarm officers are growing stronger. For example, the National Indigenous Justice summit has called for the implementation of a multi-pronged de-escalation strategy, which would include a no-carry policy in Indigenous communities, in urban areas with large Indigenous populations, and on calls involving Indigenous identified individuals as a first response.<sup>139</sup>

Likewise, one in four of the over 350 speakers at the Toronto Police Service Board's five-day "Town Hall" event on police reform in July 2020 demanded that officers be disarmed, and that any militarized gear be removed from the Service.<sup>140</sup> Some participants also specified that disarming the police should include not only firearms, but also less-lethal weapons, including Conducted Energy Weapons, batons, and pepper spray.

It is worth noting that the rates of police-involved killings in Nova Scotia are extremely low, especially when compared to other provinces. According to CBC's database, over the last 20 years, seven people have been killed in encounters with the police — six of whom were armed at the time.<sup>141</sup>

However, there are other worrying trends that demand attention. For example, across Canada, there have been growing concerns regarding the dramatic increase in the use of special weapons and tactics teams ("SWAT") to conduct "dynamic entries" — often called "no-knock raids."<sup>142</sup> Canadian criminologists have found that the largest increase in SWAT was with units working in municipalities of under 500,000 people. Recorded yearly deployments in Saskatoon, Regina, and HRM spiked in 2016 and 2017 to over six times as many as 2007-2013.<sup>143</sup>

In particular, the annual rate of SWAT deployment in the HRM on a year-over-year basis was: 19 (2007), 29 (2010), 14 (2013), 120 (2016), and 100 (2017).<sup>144</sup>

# Recommendations:

Accordingly, the Subcommittee recommends:

2. The Police Board should conduct research and consultation with community members, subject matter experts, and other relevant stakeholders to examine opportunities for:
  - a. disarming certain groups of officers, such as community response officers; and
  - b. minimizing the use of firearms by police generally.
3. The Police Board must provide meaningful oversight of the HRP and RCMP's use of special weapons teams, long guns, riot gear, and other militarized equipment. This will require the Board to take steps:
  - a. to improve transparency regarding the circumstances when such equipment is and can be used; and
  - b. to reduce its use as much as possible.

However, as Edmonton's Community Safety and Well-being Task Force notes in their 2020 report, merely removing firearms is not enough. Relying on this approach alone can actually result in greater use of other non-lethal weaponry, restraints, and/or control techniques that can pose significant risk of physical harm.<sup>145</sup>

Consider three examples here in HRM from recent headlines:

**1. Pepper Spray:** After the protests on August 18, 2021 regarding the forced evictions of people living in crisis shelters on Spring Garden Road, video footage emerged of HRP officers using pepper spray to disperse the crowd that had formed.

However, under federal RCMP policy, pepper spray can only be used when a subject is actively resisting an officer, combative, or has the potential to cause death or grievous bodily harm. It cannot be used when someone is merely non co-operative.<sup>146</sup>

If the HRP officers' conduct that day was in keeping with the department's policies, then there may be inconsistencies in terms of how each force regulates the use of pepper spray — an unacceptable discrepancy that the Police Board ought to remedy.

**2. Spit Hoods:** After being detained for public intoxication, Corey Rogers died in the HRP drunk



tank in 2016 after officers placed a spit hood over his head and never removed it.<sup>147</sup>

Spit hoods are intended to be used as a way to prevent disease transmission associated with a subject spitting on or biting officers. However, human rights activists have pointed out that neither HIV nor Hepatitis C can be transmitted through spit, and the minimal risk of Hepatitis B transmission can be addressed through workplace vaccination policies.<sup>148</sup> Indeed, Avon and Somerset Police in the United Kingdom was forced to apologize for using disease transmission claims to bolster its case for spit hoods following pushback from HIV/AIDS service providers.<sup>149</sup> We need only think about the steps that we as a society have taken to reduce the spread of COVID-19 to realize that there are safer and more effective ways to avoid disease transmission.

In 2021, South Australia became the first state to criminalize the use of spit hoods in all institutional settings.<sup>150</sup> The legislation was introduced ahead of the five-year anniversary of Wayne Fella Morrison's death. Morrison, a 29-year-old Indigenous man, was being held on remand when he died in September 2016 at the Royal Adelaide Hospital after being restrained at Yatala Prison.

**3. Restraint Chair:** In November 2020, shocking video footage was released publicly of Serrece Winter — a victim of domestic violence who was detained after failing to attend court to testify as a witness against her abuser — being held in a restraint chair for over an hour in cells in response to her repeatedly self-harming.<sup>151</sup>

Professor Archie Kaiser, an internationally recognized expert in criminal and mental disability law, described the use of the restraint chair as a “an extraordinary and unnecessary measure,” stating “somebody who was vulnerable and distraught was dealt with in a way that didn’t recognize their mental health needs, didn’t bring in experts, and exposed them to a kind of traumatic use of force that — I think we have to see as a society is inadequate.”<sup>152</sup>

These examples go to show that concerns regarding the use of force extend well beyond police use of firearms. These incidents demand attention from the Police Board both on an individual basis and to the extent that they may be symptomatic of more systemic issues.

## Accordingly, the Subcommittee recommends:

4. The Police Board should conduct a comprehensive review of all use of force techniques currently employed by the HRP and RCMP with an eye toward establishing policies intended to minimize all types of use of force incidents.
5. The Police Board's review should examine opportunities for improving how the HRP and RCMP track and publicly report on use of force incidents. This aspect of the review should be informed by recommendations 3.1 and 3.2 of the Wortley Report, which recommended that a permanent data collection system be created to record information — including disaggregated race-based data — on all stops of civilians by police,<sup>153</sup> as well as the CCJA Report, which identified the troubling lack of standardization across Canada in terms of how police collect and report data on use of force incidents.<sup>154</sup>

*“Most police should simply not have access to weapons that are in any way potentially lethal, as most policing doesn’t require lethal response.”*

*“Incidents involving firearms should be dealt with by specialist trained police groups or individuals. This whole idea of a military style, armed to the teeth police force is unnecessary and this aspect should be radically changed in the future.”*

# Openness and Transparency

It is important for the public to have access to the policies, procedures, and guidelines governing their police forces. These materials set out how the police interpret their responsibilities and legal authorities, and can be extremely helpful to the public in determining what to expect from police in various contexts. They also provide a clearer picture of how officers are expected to act on a day-to-day basis when compared to the policing standards set by the provincial government, which are publicly available in Nova Scotia.<sup>155</sup>

As noted, many respondents to our survey described negative interactions they had had with police. Without assessing the merits of any of these allegations, it is worth noting that **members of the public are probably less likely to perceive the police in a favourable manner if they do not know what to expect when dealing with officers.** Further, where negative incidents occur, they have the potential to cause mistrust toward the police if people believe they were treated improperly.

In British Columbia, the Vancouver Police Department is transparent with the community about the policies and procedures that their officers follow: the Department’s Regulations and Procedures Manual is online and kept up to date.<sup>156</sup> Understandably, the publicly available version of the Manual does not include confidential sections dealing with operational deployment strategies and investigative techniques. However, having the remainder of this information available to the public in a machine-readable format enhances public scrutiny and keeps people informed about current practices adopted by their local police force.

Likewise, in August 2020, the Toronto Police Service Board directed the police to immediately post their Use of Force Procedure online, as well as all “those procedures of public interest that govern the interaction of police with the public.”<sup>157</sup>

It is also worth noting that other government agencies in Nova Scotia, such as the Correctional Services Division of the Nova Scotia Department of Justice, have taken steps to make their policies and procedures publicly accessible, including those dealing with topics such as the use of force.

**The Halifax Police Board has made some progress in this area, but more needs to be done more quickly.** At the Police Board’s meeting on July 9, 2020, Lisa Blackburn brought a motion directing the HRP to “make available to the public, via the website, their policies including but not limited to: information on Conduct of Service Members, Conflict of Interest, Complaints and Use of Force policies.”<sup>158</sup>

When it came time to discuss this motion, Chief Dan Kinsella explained that many of the HRP’s policies were so out of date that the entire 1,700 page manual needed an “overhaul.”<sup>159</sup>

Although Chief Kinsella did not explain how the policies got so out of date, or how long the review would take, the Police Board members accepted this rationale — effectively deferring the release of the policies indefinitely.

# Recommendations:

This kind of delay is unacceptable and needs to be immediately rectified.

**Accordingly, the Subcommittee recommends that:**

6. The Police Board should direct the HRP to immediately make their policies and procedures publicly available online, as well as any standing orders or other directives that have superseded policies that are out of date. The Police Board should make the same recommendation to the RCMP.
7. Where policies and procedures are deemed to be confidential, the Police Board must ensure that the HRP or RCMP provide a publicly available explanation for each exempted section. These explanations must comply with the exemptions from disclosure provisions under section 475 of the Municipal Government Act, SNS 1998, c 18.<sup>160</sup>

## Oversight and Governance

We have already discussed that Nova Scotia, like most provinces in Canada, has civilian oversight and governance of municipal police forces. In HRM, this is done through the Halifax Board of Police Commissioners, which additionally serves in an advisory role vis-à-vis the Halifax District RCMP.

In “ensur[ing] that police services are delivered in a manner consistent with community values, needs and expectations,”<sup>161</sup> the Police Board’s work complements and supplements other guidance that police officers are required to follow. For example, HRP and RCMP officers are subject to the Provincial Policing Standards published by the Government of Nova Scotia, plus any applicable ministerial directives (such as the one banning street checks in the province),<sup>162</sup> as well as applicable federal and provincial laws and municipal bylaws.

Currently, the Police Board provides direction to the HRP and RCMP through a few mechanisms, including:

- monthly meetings;
- the Board’s annual work plan;
- the annual review of the HRP strategic plan and budget planning;
- the annual review of the RCMP budget; and
- the Wortley Report Recommendations Tracking Document, which tracks the progress of the HRP and RCMP in completing the recommendations directed at them.

While this work is an important part of discharging the Police Board’s statutory duties, the Board needs to do more to fully exercise its authority.

As an example of good civilian oversight and governance, it is worth highlighting the work of the Toronto Police Services Board (“TPSB”). The TPSB is the civilian-led commission that oversees the Toronto Police Service. It exercises powers under Ontario law that are broadly similar to those given to the Board in HRM.

Unlike in Halifax, however, the TPSB has used its authority to enact a number of policies on important issues, including:

- Aboriginal Policing – Statement of Commitment and Guiding Principles
- Collection, Use and Reporting of Demographic Statistics
- Community Consultative Groups
- Complaints
- Conduct of Service Members
- Conflict of Interest
- Destruction of Adult Fingerprints, Photographs and Records of Disposition
- Human Rights
- Mass Detention Centres
- Placement of Attempted or Threatened Suicide Information on the Canadian Police Information Centre (CPIC) System
- Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress
- Political Activity of Police Officers
- Race and Ethnocultural Equity Policy
- Race-based Data Collection, Analysis and Public Reporting
- Search and Detention of Transgender People
- Use of Force
- Victims and Witnesses Without Legal Status.<sup>163</sup>

By crafting these policies, the TPSB has not only articulated its support for widely held “community values” that should guide the delivery of municipal policing services, but also put these into practice by identifying desired outcomes and expectations for the Toronto Police Service. Notably, the TPSB has done so without interfering with the Chief’s sole authority over operational matters.

As the Edmonton Community Safety and Well-Being Task Force makes clear in their 2021 report, striking this kind of balance through board policymaking “respects the Chief’s role in operationalizing the service, while giving clear and robust expression to the will of the community – just as is intended with a civilian oversight model.”<sup>164</sup>

By contrast, our Subcommittee can find nothing like this here in the HRM. As former Commissioners Fred Honsberger and Mike Moreash noted in their 2016 self-study of the Police Board’s performance, it remains the case that the Board “provides no policy to police, approves no existing police policy and does not assess police compliance with policy.”<sup>165</sup>

This is despite the fact that members of the public have long called for policy reform on a range of important topics.

For example, Martha Paynter, RN, a PhD student in Nursing at Dalhousie, has been trying to work with the HRP on a breastfeeding policy since 2016, when police in Saskatoon detained Lillian Desjarlais, a young breastfeeding mother. As CBC reported, Desjarlais was held in custody for 75 hours without access to a breast pump. During this time, her breasts became painfully engorged and started leaking, and she was forced to wear wet clothes in cells over the weekend.<sup>166</sup> Speaking at an August 17, 2020 meeting of the Police Board, Paynter said that HRP has not made drafting this policy a priority, despite her repeated offers to work with them.<sup>167</sup>

The Police Board's failure to meet its statutory duties is especially concerning in light of the fact that courts have suggested there may be circumstances where police boards are required to take action. For example, in interpreting Ontario's Police Services Act, Justice Iacobucci, writing for a majority of the Supreme Court of Canada, held that:

It is possible, I concede, that circumstances might arise in which the [Toronto Police Service] Board is required to address a particular problem in order to discharge its statutory obligation to provide adequate and effective police services. **If there was evidence, for example, of widespread problem in respect of the excessive use of force in the detention of visible minorities, the Board arguably is under a positive obligation to combat racism and the resultant use of excessive force.**<sup>168</sup>

## Accordingly, the Subcommittee recommends:

8. The Police Board must exercise its policy-making authority to implement policies that govern HRP, not just the Board itself, in keeping with the Board's powers and statutory duties under section 55 of the Police Act.
9. The Police Board should play an active role in the HRP's ongoing policy review. In doing so, the Board should consult with community members, subject matter experts (including legal experts), and other relevant stakeholders as part of a broadly public process.

*“Does the Police Board even understand how resources are allocated? It seems highly improbable. Good intentioned people with limited understanding of their role.”*

# Accountability

## Police Complaint Processes

It is not always clear to HRM residents how the police are held accountable, or what process they should follow if they have a complaint about individual officers or systemic policing issues.

The community consultation conducted for the Wortley Report found that participants were either unclear about how to file a complaint against the police or felt that the current police complaints process was unfair and biased in favour of the police.<sup>169</sup> In particular, the following community concerns were raised:

- a lack of community awareness about how to file a complaint;
- the inability to file verbal complaints;
- the inability to file third party complaints;
- the six-month time period for filing;
- a lack of independent complaint investigation and adjudication (i.e., the fact that complaints are returned to the police service in question for internal investigation, deliberation and disciplinary decisions);
- a lack of transparency with respect to the investigative process and the rationale behind complaint decisions; and
- a confusing, convoluted appeals process.

All of the participants who identified this issue stated that, because of these outstanding concerns, they would never file a complaint against the police again.<sup>170</sup>

The results of the Subcommittee’s public consultation correspond with these findings from the Wortley Report. As a result of their concerns, several participants in the Wortley Report consultation called for the establishment of an independent, civilian-controlled police complaints commission, which would receive, investigate, and adjudicate complaints against the police.<sup>171</sup> Participants also said that the complaints process should be completely transparent, and that decisions regarding complaints must be fully articulated and explained to both police officers and members of the public.

For this reason, Dr. Wortley recommended that a committee — consisting of community members, police officials, and government stakeholders — be formed to study the strength and integrity of the current police complaints process.<sup>172</sup>

The Wortley Report recommendation tracking document maintained by the Police Board currently lists this recommendation as “ongoing,” but little actual progress has been made. Two years out from the release of the report, the committee contemplated by this recommendation has not yet been struck, let alone produced any research.

HRP has, however, made other related changes, including moving their Professional Standards Division from its central police station to Halifax Shopping Centre in an effort to make it more welcoming and less intimidating, and releasing a “Partners in Policing” informational pamphlet together with the RCMP.<sup>173</sup> But with the exception



*“I believe that the “professional standards” department should be moved to an outside, unbiased and independent committee. .... The current system is very biased and flawed. It seems to be well known that the HRP officers know the complaint process is a joke.”*

of the time period for filing complaints, which was extended in 2020 in part because of a high-profile court challenge,<sup>174</sup> many of the problems initially identified through Dr. Wortley's consultation still exist.

## **Accordingly, the Subcommittee recommends:**

- 10.** In keeping with Recommendation 4.11 of the Wortley Report, the Police Board, in cooperation with Regional Council and representatives from the provincial government, including from the Department of Justice and the Human Rights Commission, should establish a committee to study the integrity of the current police complaints process. The results of this committee's study should inform the review of the Nova Scotia Police Act recommended later on in this report.

Accountability is further complicated by the fact that both the HRP and the RCMP police the HRM. This is especially so in circumstances where different officers work together on the same investigation, as with the joint HRP and RCMP Criminal Investigation Division. In these cases, a member of the public who wishes to file a complaint will be forced to navigate two dramatically different systems: one under Nova Scotia's Police Act and the other under the federal Royal Canadian Mounted Police Act, RSC 1985, c R-10.

Each of these systems is administered by its own government agency: the Nova Scotia Office of the Police Complaints Commissioner, on the one hand, and the federal Civilian Review and Complaints Commission, on the other. They also have their own forms, investigative procedures, disciplinary sanctions, and appeal processes. Indeed, until 2021 when the regulations to the Police Act were amended, these two systems had different time limits for how long someone could wait after an incident occurred before filing a complaint.<sup>175</sup>

# HRP Civilian Complaint Process

How to file a complaint, appeal a decision, and the options available to complainants.

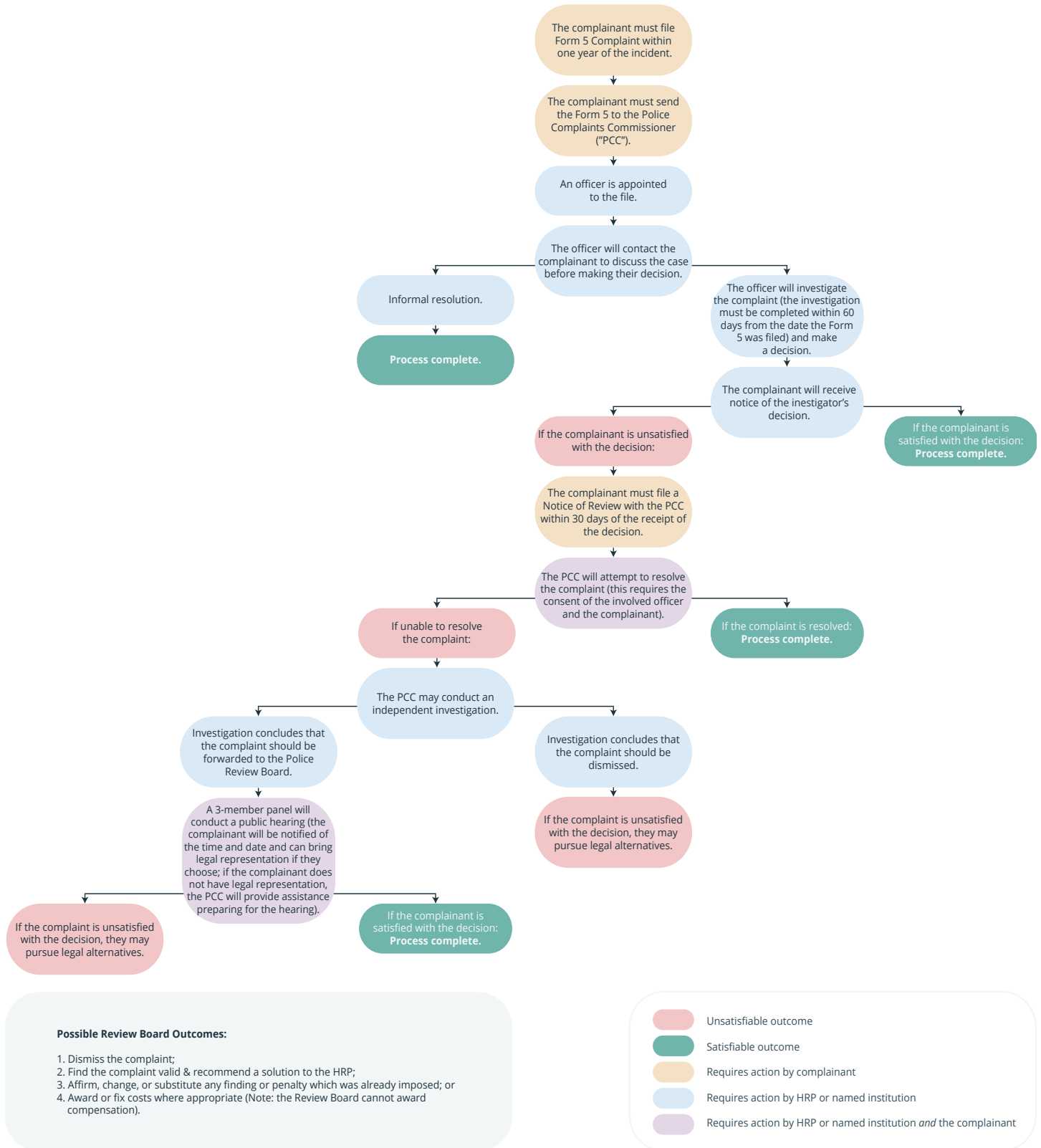


Figure 2: Halifax Regional Police Civilian Complaint Process Flowchart

*“I made a complaint in spring 2021 about the video circulating where a HRP officer used unacceptable language when dealing with a Black individual. I came up to a dead end because I was told that I wasn’t “personally affected”.”*

*“[Police should] be held accountable as if they were a citizen instead of part of an organized gang.”*

This issue is not unique to HRM. Research has found that 69% of people interviewed about oversight in British Columbia identified the distinct police complaint systems that apply to RCMP and municipal police “as one of the greatest challenges facing police oversight and accountability in the province.”<sup>176</sup> The study reveals that the “issues raised ranged from the ease of access for public complaints (the RCMP system was viewed as difficult to access), differences in the level of oversight and accountability, and variations in how discipline in the two systems was meted out.”<sup>177</sup>

In making the case for a single independent, civilian oversight body to receive and investigate police complaints in British Columbia, the BC Civil Liberties Association (“BCCLA”) argues:

It is ineffective and confusing to have three oversight bodies with varying levels of independence and legal authorities for policing in BC. ... We recognize that the RCMP are currently subject to the RCMP Act’s complaint procedures, which may seem like a constitutional or legal barrier to BC imposing better oversight models on the RCMP. We respectfully remind BC legislators that British Columbia and Canada arrived at an intergovernmental agreement to subject the RCMP to the jurisdiction of the IIO [the Independent Investigations Office, which is BC’s equivalent to SIRT], whose legal authorities derive squarely from the Police Act.<sup>178</sup>

In keeping with recommendation 7.1 of the BCCLA’s submissions to the BC Legislature’s Special Committee on reforming the Police Act, **the Subcommittee recommends that:**

- 11.** If Regional Council’s review of the integrated HRP-RCMP policing model recommends keeping the RCMP in place,<sup>179</sup> then the Police Board and Regional Council should advocate for the provincial government to establish a federal-provincial agreement to subject RCMP members in the province to the complaints procedure under Nova Scotia’s Police Act.

# Accountability

## Body Cameras

The introduction of police-worn body cameras has been presented by many, including some participants in our public consultation process, as a means to ensure greater police accountability and to combat systemic racism in the provision of policing services. However, there is very little evidence to support the use of body cameras for these purposes.<sup>180</sup>

For example, in 2019, researchers from George Mason University conducted the most comprehensive literature review to date of the research evidence base for body-worn cameras (“BWCs”), examining 70 empirical studies of BWCs covering the impact of cameras on officer behaviour, officer perceptions, citizen behaviour, citizen perceptions, police investigations, and police organizations.<sup>181</sup> Summarizing their findings, Lum et al. note that:

*“First of all, remove the amount of militarized gear they have and then require every on duty police officer has a body cam equipped. This body cam must be recording from the second their shift starts and all the way until it ends.”*

*“I do not support defunding police though I would like police to consider how they spend their budget. I struggle with the purchases of armoured vehicles and body cameras.”*

Although officers and citizens are generally supportive of BWC use, **BWCs have not had statistically significant or consistent effects on most measures of officer and citizen behavior or citizens' views of police.** Expectations and concerns surrounding BWCs among police leaders and citizens have not yet been realized by and large in the ways anticipated by each.<sup>182</sup>

Similarly, an 18-month randomized control trial, which analyzed data from over 2,000 officers from the Washington, D.C. Metropolitan Police Department, who wore BWCs, also found that BWCs “did not meaningfully affect police behavior on a range of outcomes, including complaints and use of force.”<sup>183</sup> A six-month study by Western Australia Police Force in 2016 actually found a small increase in use-of-force incidents when officers wore BWCs.<sup>184</sup>

Closer to home, BWC pilot projects have been conducted in Edmonton, Fredericton, Montreal, Toronto, and Thunder Bay, amongst other jurisdictions. Currently, Calgary is the only large police force in Canada that has adopted BWCs on a permanent basis for front-line officers. The pilot study conducted in Montreal found that BWCs had little impact on police interventions and that there were significant logistical and financial challenges associated with their use.<sup>185</sup> A final report into an Edmonton pilot project, which ran from 2011 to 2014, also found that there was no evidence to suggest that BWCs had an impact on police complaints, and no statistically significant evidence that BWCs reduced police use-of-force.<sup>186</sup>

Summarizing the Canadian experience with BWCs to date, the CCJA Report maintains that, “although empirical research on the efficacy of BWCs has greatly expanded in recent years, there is no strong evidence-based foundation on the topic in Canada.”<sup>187</sup> Nonetheless, the Report notes that “available research suggests that the technology may not provide the benefits that were initially expected.”<sup>188</sup>

As the researchers in the George Mason study noted, “policy implications from available evidence are not clear-cut, but most likely BWCs will not be an easy panacea for improving police performance, accountability, and relationships with citizens.”<sup>189</sup>

It is disheartening to see the Police Board — and, by extension, the HRP — gravitate toward precisely these sorts of “quick fixes,” rather than doing the difficult work of engaging with the public for the purpose of promoting public safety through evidence-based policymaking.<sup>190</sup>

## Accordingly, the Subcommittee recommends:

12. The Police Board should reject any additional funding requests in relation to body-worn cameras from the HRP or RCMP.

*“[The Halifax police] will spend millions over the next 5 yrs for the body cameras and an assistant to roll it out. The police spent \$430,000 on training — that is approx .229% which LESS THAN 1%. The funding they spend on training is a joke and the training is a joke.”*

*“For a start, cutting funding to unnecessary equipment such as military tanks, and body cameras. Rather, this money should go to providing services in HRM like affordable housing, community gardens, childcare.”*



# Review of Nova Scotia's Police Act

Many of the issues raised here cannot be fully addressed by the Police Board or Regional Council on their own, and instead require changes to the statutory framework for policing in the province. Beyond the issues discussed in this report, there are many others that deserve attention, including:

- fully civilianizing the Serious Incident Response Team, which investigates “all matters that involve death, serious injury, sexual assault and domestic violence or other matters of significant public interest that may have arisen from the actions of any police officer in Nova Scotia,”<sup>191</sup> by prohibiting current or former police officers from acting as investigators;
- reforming the police complaints process;
- addressing police use of emerging surveillance technology, including facial recognition software;<sup>192</sup>
- clarifying the roles and responsibilities of municipal boards of police commissioners; and
- bringing the Police Act, and processes under the Act, into compliance with relevant international human rights standards, including the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”),<sup>193</sup> as well as the Calls for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls.<sup>194</sup>

In response to calls to defund the police, other jurisdictions, including British Columbia, have opened up their policing legislation for review.<sup>195</sup>

In Nova Scotia, such a review must be informed by the findings and recommendations of the final report of the Mass Casualty Commission, the ongoing provincial-federal inquiry into the Portapique tragedy, which will be released publicly in November 2022. The Commission’s mandate includes an examination of multiple policing-related issues, including: police actions; communications between and within law enforcement agencies and other services; and police policies, procedures, and training.<sup>196</sup>

## Accordingly, the Subcommittee recommends:

- 13.** The Police Board and Regional Council should advocate for the provincial government to establish a special legislative committee dedicated to reforming the Police Act.



# **Chapter 6:**

Detasking

# Key Takeaways



“Detasking” means removing an area from police responsibility and giving it to a more appropriate organization, or having the police share this area of responsibility with another organization.



The Subcommittee makes three robust proposals for detasking, related to:

- mental health crisis response;
- traffic enforcement and traffic safety; and
- third party sexual assault reporting.



The Subcommittee also calls on the HRM Regional Council’s ongoing “Alternatives to Policing” review to consider detasking in the following areas of police response:

- incidents involving unhoused persons;
- incidents involving young persons;
- gender-based and intimate-partner violence;
- overdoses; and
- noise complaints.

The recommendations put forward in the previous chapter were largely *internal* to policing services, as they addressed aspects of police practices, oversight, and accountability. In this chapter, we expand our scope by looking *externally*, to situate the role of the police in the larger community around them.

We do so by considering opportunities to “detask” the police. Dr. Akwasi Owusu-Bempah, an Assistant Professor in the Department of Sociology at the University of Toronto, defines “detasking” as the delegation of current police tasks towards more appropriate organizations and institutions, thus reducing the negative consequences of police engagement in unsuitable activities and reducing the police budget.<sup>197</sup>

As Dr. Owusu-Bempah explains:

At their root, calls to defund and detask the police emerge from a recognition that having the police perform tasks and functions that could be more efficiently and effectively performed by other institutions and agencies is not fiscally responsible. Perhaps more importantly, because the police wield immense power, including the ability to use lethal force, the unnecessary involvement of the police in non-law enforcement activities has a number of undesirable and unfortunate consequences. The fact that the police have become the agency most likely to respond to people in mental health crisis is case in point; too many people are dying at the hands of the police while experiencing mental distress precisely because the police are not well positioned to deal with them. Similarly, the over-criminalization of Indigenous, Black and other racialized and marginalized groups stems, in part, from the increased presence of police in their lives. ... The countless tickets and fines handed out to the unhoused by the police do little but further entrench poverty and a cycle of criminalization. Policing is clearly not the solution to many societal ills, and too often it contributes to them.<sup>198</sup>

In this chapter, we present three proposals, informed by our public consultation, regarding functions currently performed by police which we recommend should be detasked:

1. mental health crisis response;
2. traffic enforcement and traffic safety; and
3. third party sexual assault reporting.

Detasking does not necessarily mean that a function will be completely removed from the police. In the case of sexual assault reporting, detasking means providing an alternative way for victims to report incidents of sexual violence, which encourages reporting and promotes public safety in a manner that complements, rather than replaces, existing policing functions.

The detasked services discussed in this chapter are not intended to be a comprehensive overview of all possible detasked services proposed by members of the public. We have focused primarily on some of the most frequently identified concerns from our public consultation. In no way should this discussion narrow the scope of HRM Regional Council’s upcoming review regarding policing alternatives.

However, in service of informing Regional Council’s upcoming “Alternatives to Policing” review, we will provide an overview of other tasks and functions currently performed by the police that were identified through our public consultation as possible candidates for detasking. Some of these have been drawn from reviews and reports conducted in other jurisdictions, including the 2021 report *Rethinking Community Safety: A Step Forward For Toronto*.<sup>199</sup> They are:

## ***1. Responding to incidents involving unhoused persons:***

People experiencing homelessness are intensively policed. Research shows that people without homes have, on average, 42 interactions with police per year, which is just over ten times as often as everyone else.<sup>200</sup> In Toronto, for example, almost 16,000 tickets have been issued to people experiencing homelessness in a single year.<sup>201</sup> Police and service providers agree that well over 90% of those tickets will never be paid, but the cost of issuing and processing 16,000 tickets is significant.<sup>202</sup> Policing of the unhoused population is mostly for “quality of life” infractions that are simply a consequence of people having nowhere else to go, such as sleeping or drinking in public or trying to stay warm in cafés or malls.<sup>203</sup>

Other cities have implemented alternatives that work better, make their cities safer, and have more positive outcomes. Places like Olympia, Washington;<sup>204</sup> Denver, Colorado;<sup>205</sup> and Darwin, Australia,<sup>206</sup> among others, have implemented programs that respond to homelessness very differently. These programs send civilian community-outreach workers to 911 calls relating to people experiencing homelessness, instead of using police as the primary response. Evaluations of these types of programs show that they succeed at moving people from the streets to stable housing and in the process reduce arrests by 80% and incarceration time by 90%,<sup>207</sup> as well as cutting time in hospital emergency rooms by 60%.<sup>208</sup>

Notably, in 2013, the Halifax Housing and Homelessness Partnership set a goal in collaboration with the municipality and the province to end homelessness in HRM by 2019.<sup>209</sup> However, according to the Affordable Housing Association of Nova Scotia, as of October 12, 2021, there were 416 people who were homeless in Halifax, of whom 309 were considered chronically homeless.<sup>210</sup> By comparison, in October 2019, there were 230 people in Halifax who were homeless, 140 of whom were chronically homeless.<sup>211</sup>

HRM has made a number of recent and ongoing efforts to help address homelessness in the municipality and plans to release a long-term strategy to guide the municipality’s response going forward in the current fiscal year.<sup>212</sup> In terms of reducing contact between unhoused persons and the police, the HRM’s \$140,000 investment in the Navigator Street Outreach program is laudable. However, especially in light of the ongoing housing crisis, it is clear that more needs to be done to expand the scope and capacity of this and other related services.<sup>213</sup>

## ***2. Responding to incidents involving young persons:***

Young people are the most intensively policed age group, with Black youth and Indigenous youth policed most of all. Although Canadian data is less comprehensive on policing by age group, US studies show over 38% of all police contact with individuals was with young people between the ages of 16 and 24.<sup>214</sup> Young people, and especially Black, Indigenous, and racialized youth, are more likely to face deadly force at the hands of police: analysis in June of 2020 showed that 62% of the last 100 people who died at the hands of police officers in Canada were between the ages of 15 and 35, and that Black and Indigenous people were overrepresented.<sup>215</sup>

Overpolicing also undermines community relations, making efforts to address real safety issues more difficult. Canadian research in October 2020 showed that young people, people of colour, and

Indigenous people were more likely to have had negative interactions with police than other groups, and also more likely to have negative views of police and to feel unsafe with increased police presence.<sup>216</sup>

Different jurisdictions are increasingly addressing youth issues with more community-based approaches. These non-police models have helped reduce gun violence by 27% in Sacramento,<sup>217</sup> and cut incidents in the UK by 28% where they were applied, despite rising crime overall.<sup>218</sup>

The HRM has made significant strides in this area, including through its investments in the Youth Advocate Program, Youth Live, and a variety of youth spaces across the municipality, such as the Den Multi-Service Youth Centre in Sackville and the Power House Youth Centre in Halifax.

### ***3. Responding to incidents of gender-based and intimate-partner violence:***

Despite decades of policy reform on gender-based violence (“GBV”) and intimate-partner violence (“IPV”), existing solutions still largely focus on police and courts, acting to punish and rehabilitate perpetrators, despite compelling evidence that shows that focusing on the support of survivors is the most effective tool for ensuring safety and reducing harm.<sup>219</sup> Pro-arrest and mandatory charging policies can do more harm than good, frequently penalizing survivors themselves and deterring reporting.<sup>220</sup> Survivors in racialized and marginalized populations can be particularly unwilling to involve the police,<sup>221</sup> and may be dissuaded by fear of being arrested, having their partner arrested, and concerns over language barriers, racist treatment, and involvement of child protection and/or immigration enforcement agencies.<sup>222</sup>

The Domestic Violence Task Force (“DVTF”) in Dallas, Texas is one example of a positive community-based intervention to GBV and IPV. Unlike many police-centric approaches, the DVTF has the police take a back-seat role. The majority of organizations involved in the DVTF are victim-oriented nonprofits, with 63% focused on victim services, advocacy, and counselling; 29% focused on emergency shelter and transitional housing; and 8% working on job training and educational support for survivors.<sup>223</sup>

Similar success is evident in survivor-centred multi-agency programs such as the “Safe at Home” program in Victoria, Australia.<sup>224</sup> Whether in the form of peer support, counselling, or the provision of resources and information, research suggests that community-based interventions yield positive outcomes for survivors, including a reduction in the experience of abuse and partner aggression, increased service-seeking behaviour, and reduced rates of PTSD, anxiety, and depression.<sup>225</sup>

The HRM has already undertaken a variety of valuable initiatives in this area, including the municipality’s involvement in the UN Women Safe Cities and Safe Public Spaces for Women and Girls Programme, its use of Women’s Safety Audits as part of the Public Safety Office’s ongoing scoping study on sexual violence in Halifax lie, and its establishment of a Women’s Advisory Committee in 2019.

Going forward, more work could be done to build on the findings and recommendations of the *Home for Good* project, a research collaboration between Alice House, Elizabeth Fry Society of Mainland Nova Scotia, the Marguerite Centre, and YWCA Halifax, investigating the barriers women face when trying to access safe, secure, and affordable housing in community once they have left the transition and second-stage housing system.<sup>226</sup>

*“Police are very invested in monitoring homeless individuals in our communities.*

*We need a team of individuals who are trained and paid to be able to navigate how to properly provide care, safety and resources (food, water, healthcare, sleep) to all of our neighbours.”*

*“Given the challenges around family violence, ... having a sound approach to this matter is necessary. ... [Police] should know signs of coercive control (ex. failure to follow a court order, threats of being charged with harassment etc.), and send people to the appropriate services.”*

*“There are things that police do currently that could be done in greater partnership with others, in situations of intimate partner violence, sexual assault, and abuse.”*

## 4. Responding to overdoses:

Fatalities resulting from overdoses continue to rise in unprecedented numbers on a national level, and are now the leading cause of non-natural death in British Columbia. This has caused the life expectancy at birth to decline for the first time in decades.<sup>227</sup> There were over 19,000 opioid overdoses from 2016-2020 in Canada, with 82% of these deaths being from Fentanyl. The recent challenges of the COVID-19 pandemic have resulted in “decreased access to many traditional addiction services,” which, in conjunction with the increasingly contaminated street supply, has exacerbated the risk of drug overdoses.<sup>228</sup> Further, physical distancing precautions have deterred group drug use, thereby compelling people to use drugs on their own, with oftentimes disastrous effects.<sup>229</sup>

The federal *Good Samaritan Drug Overdose Act*, SC 2017, c 4, provides some legal protection for people who experience or witness an overdose and call 911 for help. Nonetheless, for a variety of reasons, not all overdoses get reported. These include fear of being prosecuted for illicit activities, being in breach of parole or probation conditions, having an outstanding warrant, having children taken away, and being accused of complicity with the overdose, with fear of the police the leading reason.<sup>230</sup>

For example, a 2021 Canadian study that included focus groups and surveys with 109 people who use drugs across Ontario found that the vast majority of participants have had negative interactions with police, which would discourage them from seeking medical assistance at future overdose incidents.<sup>231</sup> Almost all participants questioned the necessity of dispatching law enforcement to a health emergency that requires medical intervention. Accordingly, the number of people who fail to call 911 in a case of overdose varies from between 30% to upwards of 90%. Studies have found that fear of the police is a leading reason for failing to call 911.

In Austin, Texas, overdose calls tripled in 2020 after the onset of the COVID-19 pandemic. Accordingly, the municipality introduced Project Connect, which aims to improve overdose reporting and prevention efforts through an innovative community-academic-industry partnership. This study uses community-engaged research methods to understand the gaps in overdose reporting and prevention response across Texas.<sup>232</sup> Project Connect is a large part of Austin’s newest opioid response under the *Texas Targeted Opioid Response*.<sup>233</sup> This expansion has resulted in people being able to call the municipality’s Expanded Mobile Crisis Outreach Teams directly, from a variety of hotlines.<sup>234</sup>

These concerns regarding responding to overdose incidents dovetail with other concerns we heard through our public consultation regarding mental health crisis response and 911 dispatch more generally. HRM has already made strides in this area by establishing the Integrated Dispatch and Telecommunications Centre in 2005, which provides emergency and non-emergency call taking and dispatching for police, fire, and emergency health services.<sup>235</sup> Despite these advances, more needs to be done, both through research and evaluation and public education campaigns, to ensure that the most appropriate personnel and services are directed to calls from the public.

This work should complement, and be complemented by, the municipal efforts already underway to establish a drug and alcohol strategy.<sup>236</sup> In June 2021, HRM’s Public Safety Advisor submitted a funding application to the Public Health Agency of Canada in partnership with the Mi’kmaw Native Friendship Centre, the Nova Scotia Brotherhood Initiative, Canadian Association of People who Use Drugs (“CAPUD”), and other partners to support the co-development of a municipal drug and alcohol strategy. This application came out of consultations with almost 40 key stakeholders in HRM between January and March 2020 on how to address substance use in a strategic and coordinated way, and from



*“Health providers are moving towards [a] multi-service model. ... This can be a model used by police. A multi-service approach where police and other service providers collaborate.”*

*“I don’t know if police attend overdoses here, but that seems like a deterrent to accessing care when it is needed most.”*

a Regional Council directive in December 2019.<sup>237</sup>

On a related note, HRM Regional Council should be commended for making strides to reduce the criminalization of substance use by voting in July 2021 to explore options for establishing a sobering centre in Halifax.<sup>238</sup>

## ***5. Responding to noise complaints:***

In 2019, Toronto implemented a by-law enforcement team to deal specifically with noise complaints. The team is made of 24 bylaw enforcement officers that answer noise complaints at all hours, with the exception of between 2:00 AM and 6:00 AM, during which time complaints are handled by police.<sup>239</sup>

Additionally, the City of Toronto has partnered with St. Stephen’s Community House and Warden Woods Community Centre, which are organizations that provide free community mediation services to Toronto residents, as an alternative means to resolving a dispute with the help of neutral mediators. Mediation can help deliver better service, divert some cases from bylaw enforcement, and get to the root cause of long-standing community or neighbour-to-neighbour issues. The process is separate from bylaw enforcement and completely confidential.<sup>240</sup>

More work can be done in this area, as currently HRM bylaw enforcement officers only respond to noise complaints on weekdays during working hours.

# Recommendations:

In light of the issues canvassed here, the Subcommittee recommends:

## **14. HRM Regional Council’s “Alternatives to Policing” review should comprehensively explore opportunities to either partially or fully detask the response to incidents involving:**

1. unhoused persons;
2. young persons;
3. gender-based and intimate-partner violence;
4. overdoses; and
5. noise complaints.

*“I did not want to call the police [for a noise complaint] but 311 told me there was no other option. no one wants the police coming to them let alone just because your car alarm is going off for hours. it was resolved but not satisfactory: I wish the municipality could have handled it alone.”*

*“Municipal bylaw officers already do most of the bylaw stuff during business hours and are less scary if your neighbours are still partying after midnight.”*



# **Chapter 6A:**

Mental Health Crisis Response

# Background

This section explains why mental health crisis response is a key area for detasking — the delegation of tasks currently performed by police to more appropriate organizations and institutions.

One in three Canadians experience mental health issues or illness annually.<sup>241</sup> It is the leading cause of disability in Canada. Mental health illness and issues that go untreated cost approximately \$51 billion per year in Canada, as of 2015.<sup>242</sup> Rates of mental health illness and issues are higher among racialized populations,<sup>243</sup> people living in poverty,<sup>244</sup> members of the 2SLGBTQIA+ community,<sup>245</sup> and women.<sup>246</sup> Individual and structural factors intersect and impact mental health.<sup>247</sup> For example, Black Nova Scotians are approximately 20% more likely to experience mental illness and addiction, and less likely to use mental health services.<sup>248</sup> The COVID-19 pandemic contributed to increased rates of poor mental health across Canada.<sup>249</sup>

Mental health care services in Nova Scotia are limited.<sup>250</sup> They are delivered by provincial partners, when and if available, though many mental health supports are provided by non-governmental organizations and individuals in the community.<sup>251</sup> Support for mental health crises in Nova Scotia and Halifax are limited to call centres or other outreach programs, self-referrals to clinics, or a mobile mental health team, all of which require individuals in crisis to reach out and seek help under duress.

HRM, through HRP, currently employs the Mental Health Mobile Crisis Team (“MHMCT”) to provide crisis support for children, youth, and adults experiencing mental health crises.<sup>252</sup> It is a co-response, collaborative civilian-police model supported by Nova Scotia Health (“NSH”), HRP, and the IWK Health Centre.<sup>253</sup> It provides support from 1:00pm to 1:00am local time to most communities in HRM. Support outside of this timeframe falls to conventional emergency services or community organizations.

Police play a mental health crisis response role because there is no formal mental health crisis response infrastructure. The Canadian Mental Health Association (“CMHA”) BC Division notes “police are, by default, becoming the informal ‘first responders’ of our mental health system.”<sup>254</sup> According to Jonny Morris of CMHA-BC, “We see in data that there are general factors that show a driver that increases the likelihood of an encounter with police: being male; being racialized; being a Black, Indigenous or person of colour; living with bipolar disorder or manic symptoms, schizophrenia; homelessness; and unemployment. Systemic factors are driving some of these rates of police contact.”<sup>255</sup> Approximately one in five interactions with police in Canada involves someone with a mental health or substance use problem.<sup>256</sup>

However, police themselves admit they are not suited to respond to mental health crises.<sup>257</sup> Police are meant to intervene in violent crime, not non-violent mental health situations. Many Canadians killed in police encounters suffer from mental health, substance abuse, or other related issues.<sup>258</sup> Even in non-fatal interactions, the use of law enforcement to address health issues can create mental service barriers, especially to Black, Indigenous, and People of Colour, and other equity-deserving communities.<sup>259</sup>

Many experts,<sup>260</sup> as well as recognized best practices,<sup>261</sup> call for a diminished role of the police when intervening and managing mental health crises, and an increased role for civilian-only approaches.

The following section will detail approaches to civilian mental health crisis response by other Canadian and

American municipalities. We note that the civilian (non-police) responses to mental health crises discussed in this chapter could also be expanded to wellness checks, overdose calls, and other types of calls for emergency assistance.

# Mental Health Crisis Response in HRM

Police officers in HRM have always been a central component of our mental health crisis response. Currently within HRM, someone experiencing a mental health crisis, or someone witnessing, can either access resources by calling 9-1-1 or the mental health crisis line. If the person requires in-person support, the Mental Health Mobile Crisis Team is dispatched.

Over a decade ago, the MHMCT was established in HRM to improve the handling of mental health crises. The program includes a professionally supported telephone line and a mobile crisis team comprised of a mental health professional (e.g. a nurse or social worker) paired with a police officer.<sup>262</sup> As such, the program still places police as part of the front-line response to people experiencing mental health crises.

Section 14 of the Involuntary Psychiatric Treatment Act, SNS 2005, c 42, empowers the police to take a person into custody if “the person apparently has a mental disorder.”

Both streams of response are intended to ensure that those who request help, or are unable to make treatment decisions due to severe mental illness, receive the appropriate treatment, yet mental health response in HRM has not been updated since 2010. The now-dated model mostly involves police officers and hospital emergency rooms, which does not align with best practices recommended by mental health experts.<sup>263</sup>

In his presentation to the Subcommittee, Dr. Jamie Livingston, an Associate Professor of Criminology at St. Mary’s University, who studies and teaches about issues of social inclusion and social justice for people with mental health and substance use issues, recommended that mental health crisis response systems only involve police when a level of danger or criminal activity warrants their involvement. This is intended to minimize interactions between people with mental health issues and the police, as there is a growing over-representation of people with mental illnesses in jails and prisons, exacerbated by the continued merging of health and criminal legal systems. This is evident in HRM, as the MHMCT is a partnership of the Nova Scotia Health Authority, the Halifax Regional Police, and the IWK Health Centre.

While a partnership is better than a police-only response to mental health crises, the growing number of fatalities resulting from police interventions, particularly when people are Black and Indigenous, has highlighted how situations can worsen for a number of reasons when police are integral to the response system.

*“I believe the police should have NO involvement in mental health matters unless there is a direct danger to the public that needs to be temporarily contained. Police also do not know the underlying factors taking place when arresting someone and should not start calling them/treating them like a criminal or someone unworthy of respect/care. I was called names, made fun of, and then threatened at my home 14 months after the incident took place, despite being found not-guilty on all accounts. It should also be made more clear that to access resources like the Mental Health Crisis team police are directly involved.”*

# Approaches Taken by Other Canadian Municipalities

## Breakdown by Jurisdiction

Jurisdiction and Program Name	Funding Details	Purpose	Key Facets
<b>Calgary</b> Community Safety Investment Framework Funding and Calgary Police Service Reallocation of Funding <sup>264</sup>	Community Safety Investment Framework: \$5.8 million Calgary Police Service Reallocation of Funding: \$8 million	<p>Dual funding frameworks to strengthen existing mental health crisis supports, and develop partnerships between community organizations and the Calgary Police Service.</p> <p>The two funding structures guide investment in outcomes for Calgarians experiencing crisis, with the long-term goal to improve the wellbeing of Calgarians through an equitable and effective crisis response system.</p>	<p>Community Safety Investment Framework            The investments aim to strengthen existing crisis supports by enhancing programs and services available to Calgarians affected by mental health, addiction, homelessness and other challenges. Projects funded include organizations supporting domestic violence survivors, culturally-specific community supports, and mental health and addictions community services.</p> <p>Calgary Police Service Reallocation of Funding            Reallocation of funds to improve call response with the goal of better outcomes for citizens in crisis. Partnerships are with 26 programs, such as Alberta Health Services and United Way, as well as numerous policing initiatives including the Calgary Police Service Equity Diversity Inclusion (EDI) Tool and CPS Anti-Racism Action Committee.<sup>265</sup></p>
<b>Toronto</b> Community Crisis Support Service Pilot <sup>266</sup>	Pilot development costs of \$1.7 million have been included in the Recommended 2021 City of Toronto Operating Budget for Social Development, Finance and Administration	Direction from Toronto City Council at meeting in June 2020 for the City Manager to develop a non-police led, alternative community safety response model for calls involving Torontonians in crisis.	<p>2021 report proposes piloting a new community crisis support service in Toronto for some non-emergency calls for service. Mobile crisis support teams consisting of a multidisciplinary team of crisis workers with crisis intervention and de-escalation training will be dispatched to respond to non-emergency crisis calls involving persons in crisis, wellness checks, and other calls to be determined. Community health service partners will become anchor partners to ensure that adaptive and service-user centred care continues after the initial crisis intervention.</p>



Jurisdiction and Program Name	Funding Details	Purpose	Key Facets
<p><b>Ottawa</b> Mental Health Response Strategy<sup>267</sup> / Paramedic-led response<sup>268</sup></p>	<p>Not yet available</p>	<p>Ottawa police will task a “guiding council” with developing a community-led plan for a new mental health response. In 2020, the service announced it would reshape its response to people in mental health crises as a community-led initiative. That came after multiple appeals from community groups and the public to change the way police respond to mental health calls.</p>	<p>The overall mental health strategy will include “a review of and improvements to how police respond to people in mental health crisis. It will also include measures to build and support more coordinated systems that better ensure access to appropriate mental health and substance use/addiction supports for people in [the] community.”<sup>269</sup></p>
<p><b>Elgin County</b> (Aylmer and St. Thomas), ON<sup>270</sup></p>	<p>Funding and resources for the MCRT unit has been provided by CMHA Elgin-Middlesex and the two police services involved (Elgin County Ontario Provincial Police (OPP) and the Aylmer Police Service).</p> <p>No amount disclosed</p>		<p>The Canadian Mental Health Association (CMHA) Elgin-Middlesex, Elgin County Ontario Provincial Police (OPP) and the Aylmer Police Service are pleased to announce a new collaborative initiative that will provide support to residents in Elgin County who are experiencing a mental health crisis. The newly formed Mobile Crisis Response Team (MCRT) is set to go March 2021. Much like the Mobile Outreach Support Team (MOST) in St. Thomas (Established 2017), which is a partnership between the St. Thomas Police Service and CMHA Elgin-Middlesex, the MCRT will operate similarly and will respond to mental health calls for service in Elgin County and the Town of Aylmer.</p>
<p><b>Surrey, BC</b><sup>271</sup></p>	<p>The City of White Rock, British Columbia is asking the UBCM to endorse a call to the provincial government to allow municipalities to bill health authorities for any police officer attendance at hospitals, in such situations, that goes over 30 minutes.</p>	<p>White Rock is submitting two resolutions to the Union of B.C. Municipalities in hopes of improving current policies regarding police presence in response to mental health crises. White Rock’s argument is that a regional program could provide a consistent service for the public, without being limited by municipal boundaries.</p>	<p>The city is calling for the UBCM to ask the province to establish an integrated regional model for a mobile crisis response car program similar to the ‘Car 67’ program currently provided by Surrey RCMP in co-ordination with the province and Fraser Health.</p> <p>That program teams a mental health practitioner with a police officer to provide immediate – and more appropriate – assessment when someone in distress is brought to the attention of police and hospitalization is required.</p>

*“No one in a suicidal state of mind needs an armed officer in uniform coming to them. They need compassion.”*

*“Police should not be the only resort for people in mental health crisis. The police should participate in a team approach to issues of law enforcement, addiction services, mental health and restorative justice.”*

*“I believe the public look to the police to solve too many problems. I don’t know that they should be responsible for housing intoxicated persons. I think the police should be focusing on criminal offences, traffic offences, and public safety.”*

# Summary of Canadian Programs

To date, Canadian municipal efforts to enhance civilian mental health crisis response are early in their development, and remain largely tied to existing police intervention. The use of hybrid police-civilian crisis response teams, or response teams integrated within police infrastructure, are generally the only options available outside of police-only responses.

A good example of the hybrid model are the Mental Health Crisis Response Units championed by Ontario's Big City Mayors, which "combine trained mental health professionals and police officers to respond to identified low-risk crisis calls and wellness checks."<sup>272</sup> The civilian team members and organizations typically include health services providers or advocates, community outreach organizations (some culturally specific, such as Indigenous organizations), and services for vulnerable populations, including people who use drugs and survivors of domestic violence. The use of police resources is interpreted as being essential to maintaining large geographic catchment areas and 24/7 access, which are not generally available through community programming.

Toronto proposes a mostly civilian-focused response, with mobile crisis support teams that operate independent of police forces. The sources associated with the City of Toronto pilot project cited above identify that, currently, community organizations are limited in their ability to offer crisis response as compared to police forces, due to smaller geographic catchment and shorter hours of operation. Accordingly, the pilot is intended to expand and enhance these community services, with the goal of providing safer and more effective crisis response services to Torontonians.

Mental health crisis response options in Canada are not limited to municipalities or community organizations. At the provincial level, there are numerous civilian-operated mental health crisis support phone lines, such as those found in British Columbia,<sup>273</sup> Manitoba,<sup>274</sup> and Nova Scotia itself.<sup>275</sup> However, these resources are only available to those able to access a phone and make phone calls, and who know which numbers to call for their region.

*“Wellness checks and mental health services could be delegated to other groups BUT funding and resources are needed. You can’t offload onto someone else without giving them the supports they need.”*

# Approaches Taken by American Municipalities

## Breakdown by Jurisdiction

Jurisdiction and Program Name	Funding Amount and Source	Purpose	Key Facets/Notable Outcomes
<b>Eugene, Oregon</b> CAHOOTS Program <sup>276</sup>	CAHOOTS program budget is \$2.1 million annually by city. <sup>277</sup>	The Crisis Assistance Helping Out On The Streets (CAHOOTS) program is a civilian-only mobile crisis intervention team managed by White Bird Clinic in Eugene, Oregon. It runs 24/7 in the Eugene-Springfield Metro area. CAHOOTS is dispatched through the Eugene emergency communications centre and/or the Springfield non-emergency number. Each team consists of a medic and a crisis worker to provide immediate stabilization and intervention. However, calls that report a crime in progress, violence, or life-threatening emergency may receive a response from the police or other emergency services instead of or in addition to CAHOOTS.	Dedicated and 24hr/7 days a week mental health crisis response. The CAHOOTS model are always available to deliver a wide range of mental health-related crises, ranging from conflict resolution, substance abuse, suicide threats, and more using trauma-informed de-escalation and harm reduction techniques.  Police backup rarely needed. CAHOOTS model only required backup 150 out of 24,000 CAHOOTS calls in 2019.  Cost savings through harm reduction. The CAHOOTS program saved the city of Eugene an estimated \$8.5 million in public safety spending annually.
<b>Oakland, California</b> MACRO program <sup>278</sup>	\$1.35 million allocated by Oakland City Council. <sup>279</sup>	The Mobile Assistance Community Responders of Oakland (MACRO) program will send unarmed civilians with medical and mental health training to respond to non-violent emergency calls instead of the police. The Oakland Fire Department will run the program using the existing 911 dispatch system. County emergency medical technicians and mental health experts will be contracted as the civilian responders.	Based on successful CAHOOTS model. Oakland's pilot program is based on the CAHOOTS model in Eugene, Oregon. However, the MACRO program can be adapted to suit the unique needs of the Oakland area.  Proportional and appropriate response. The pilot intends to connect residents directly with trauma-informed, harm reduction oriented mental health services and supports.

Jurisdiction and Program Name	Funding Amount and Source	Purpose	Key Facets/Notable Outcomes
<b>Olympia, Washington</b> Crisis Response Unit <sup>280</sup>	\$550,000 (estimated) <sup>281</sup>	The Olympia Crisis Response Unit (CRU) is contracted by the Olympia Police Department to respond to nonviolent mental health calls with mental health professionals. The CRU can help identify individuals with chronic mental health disorders, substance abuse, and provide a range of trauma-informed, harm reduction services that do not involve police intervention.	Smaller municipality re-orienting mental health crisis response. With a population of around 50,000 people, Olympia is an example that both large and small cities can engage in civilian-led or civilian-only mental health crisis response effectively and affordably.  Reduces interactions with police. This program allows police officers more time to respond to incidents suitable to their skillset.
<b>Denver, Colorado</b> STAR Program <sup>282</sup>	Funding granted by the city Department of Public Health and Environment, \$1.4 million in 2020. <sup>283</sup>	The Support Team Assisted Response (STAR) program deploys Emergency Response Teams that include emergency medical technicians and behavioural health clinicians to respond to individuals experiencing mental health crises.	Advisory Committee can track civilian progress. The STAR Community Advisory Committee can track and evaluate the outcomes of the program, as well as provide or solicit input and feedback from the community. This further entrenches the program as a community-delivered, community oriented and culturally appropriate mental health crisis response program.

## Summary of American Programming

Unlike Canada, municipalities in the United States have introduced civilian-only or civilian-oriented response teams, who can provide in-person crisis interventions.<sup>284</sup> These successful programs are actually informing the Toronto model.<sup>285</sup>

The American programs described above can be considered “Community Responder” models.<sup>286</sup> This model is distinct from co-responder models, which involve police at the site of intervention.

The highlighted programs have been integrated into municipal emergency response infrastructure. Calls for help can be forwarded to the civilian response organization directly, who can respond efficiently and effectively. This diverts calls away from the police or other first responders.

These programs have succeeded with limited financial and human resources. Most calls do not require any form of police intervention following contact, and can connect those in crisis to the services they need. These programs treat mental health crisis intervention like an emergency medical team responds to the scene of an accident with injuries: as a health issue.

Overall, some American municipalities are further ahead in civilian-only or civilian-oriented mental health crisis response programs. Pilot programs not detailed here have also been launched in other municipalities across the United States, while numerous other cities are considering similar models.<sup>287</sup>

# Application to HRM:

The current model of mental health crisis intervention in HRM is outdated and no longer aligned with best practices. It is telling that the majority of respondents to our public consultation, including those who said they did not support defunding, agreed that mental health services should be diverted away from policing.

To that end, and considering the other municipal models discussed above (most notably CAHOOTS), the Subcommittee recommends:

15. Regional Council, in cooperation with the Police Board and the provincial government, to the extent necessary, should revise the Mental Health Mobile Crisis team model to ensure that mental health crisis calls are generally diverted to civilian-only teams. This model should also be explored for other social- or health-based emergency calls.

*“Domestic violence calls and mental health calls should be answered by experts in those fields with police as backup. And the calls that are made to report these issues should be answered by professionals in these issues not by police dispatch.”*

*“There could be more mental health intervention by the Province so officers are not sitting in a Hospital with suicidal individuals for hours. These type[s] of calls should be handed over to others in the field that specializes in these issues.”*

*“Wellness checks should be done by mental health professionals that are specifically trained in crisis intervention and de-escalation. Interviews that need to be conducted with victims of child abuse, sexual assault or trauma should be done by a mental health professional that works with police so that they can get the info they need without the victim being re-traumatized.”*





# **Chapter 6B:**

Traffic Enforcement and Traffic Safety

# Background

The enforcement of traffic laws and the promotion of traffic safety are the next key areas that could be detasked from police.

Police misconduct during traffic stops, including racial profiling and human rights violations, has been a longstanding issue in Nova Scotia. In 1998, Kirk Johnson, a professional boxer and Olympian from Nova Scotia, was unjustly stopped by the Halifax Regional Police while driving, and his car was towed. An independent human rights board of inquiry determined that there should be a comprehensive analysis regarding the role of race in traffic stops.<sup>288</sup>

This study was never done, but criminologist Scot Wortley was commissioned to analyze 12 years of data on street checks, which ultimately resulted in the Wortley Report (which we've discussed earlier). The Wortley Report demonstrated that traffic stops are not the same as street checks, despite many residents perceiving that "all incidents in which civilians are stopped and questioned by the police. These incidents include traffic stops, pedestrian stops (i.e., being stopped by the police while walking in a public place), and other incidents in which civilians are approached by the police and asked questions (i.e., approached by the police while hanging out in a park, mall, cafe or in another public setting)."<sup>289</sup>

Dr. Wortley's study revealed that 40.3% of Black residents who responded to his survey had been stopped two or more times in a motor vehicle, compared to 17.5% of white respondents, demonstrating a clear racial disparity in the rates of traffic stops in HRM.<sup>290</sup> Overall, the Wortley Report found that Black people were street checked at a rate six times higher than white people in the HRM.

The oftentimes arbitrary nature and frequency of traffic stops has been a contributor to the contentious relationship between many people of African descent in HRM and both the RCMP and HRP. A key example of such conflict is the stop of Sgt. Dean Simmonds of the HRP and now-MLA Angela Simmonds by the RCMP in July 2021, in a case of mistaken identity.<sup>291</sup>

Traffic stops are not, however, solely an issue for Black Haligonians. Instead, these interactions are a topic of considerable focus for residents from across the municipality. The Partners in Policing report by Perivale and Taylor Consulting notes that driving complaints are the second most frequent category for calls for service in Halifax, demonstrating how essential this point of contact is in shaping community interactions and perceptions of the police.<sup>292</sup>

*“[The police] just conduct themselves in such an intimidating way, even for something as simple as checking for expired inspections. but even though I know they wouldn’t hurt me, I can’t trust that if they are hurting my community.”*

*“The last time I interacted with a member of a police force was when I went through a traffic light as it turned to orange, they pulled me over saying I had gone through a red and threatened me with additional fines when I argued.”*

*“My headlight was burnt out, responding officer was calm, professional, gave me time to look for my paperwork, gave me a warning about the light and that was it. I fixed it.”*

# Approaches in Other Jurisdictions

Other cities across North America have moved towards implementing civilian enforcement of traffic laws. Civilian enforcement typically involves a new organization or unit of unarmed traffic monitors responsible for assessing routine traffic violations. This significantly reduces police-civilian interactions, and the potential for violence that can arise from routine traffic stops by police.<sup>293</sup>

Transferring civil traffic law enforcement to unarmed personnel outside of the police addresses the well-documented public concern that traffic violations are oftentimes used as an excuse by police for “pretextual investigative stops, which have led to many problematic police encounters.”<sup>294</sup> Existing evidence about armed officers at traffic stops demonstrates that weapons are often not necessary to protect officers’ safety in those interactions.

Evidence from Florida, which has some of the most comprehensive public record laws in the US, showed that “from 2005 to 2014, officers were seriously injured or killed in just 0.31% of routine traffic stops.”<sup>295</sup> A recent New York Times investigation found that, between 2016-2021, US police officers “killed more than 400 drivers or passengers who were not wielding a gun or a knife or under pursuit for a violent crime,” while the risk of an officer fatality at a traffic stop was “less than 1 in 3.6 million.”<sup>296</sup>

Shifting towards automated enforcement for routine traffic violations like speeding could also work to eliminate police discretion to enforce traffic stops in a discriminatory way. At present, the enforcement of automated traffic violations often operates through police forces, who use civilian staff or third-party organizations to adjudicate complaints, issue fines, and implement other penalties.<sup>297</sup> In New York State, for example, “speeding accounts for nearly 20% of all traffic citations.”<sup>298</sup> Traffic cameras are effective in decreasing accidents because they are more consistent and citations can be handed out more frequently than human officers can. In turn, this encourages motorists to abide by traffic rules.<sup>299</sup>

## American Municipalities

In an article published in the Stanford Law Review, Jordan Blair Woods, a legal scholar at the University of Arkansas, proposed a framework for governments to transfer traffic enforcement to separate agencies that act independently from the police department.<sup>300</sup> These traffic agencies would be responsible for reviewing automated traffic enforcement data derived from red light and speed cameras, amongst other sources. The police would still investigate potential crimes involving vehicles (e.g. hit and run incidents, stolen vehicles, etc.).<sup>301</sup> Traffic monitors would not be able to detain, search, or arrest people, as they would not be conducting criminal investigations. They would only be conducting traffic stops and citations to encourage compliance with traffic laws.

The Vera Institute of Justice, an independent, criminal justice reform think tank based in New York, has identified five different approaches that jurisdictions are beginning to take to more safely and equitably enforce

traffic laws without relying on police.<sup>302</sup> As detailed by the Vera Institute, these approaches, which incorporate many of Woods’s recommendations, include:

## ***1. Build non-police first responder teams:***

Removing police authority to stop cars for minor traffic violations effectively ends the risk of discretionary stops unrelated to public safety. Cities are beginning to replace police with unarmed, civilian traffic response units, housed in a city department of transportation or public works and staffed by experts in transportation and mediation.<sup>303</sup> Their role would be to respond to traffic collisions and minor violations. Although they would have the authority to stop cars, they would not be able to use force, and their mission would be traffic safety rather than criminal law enforcement.

The City of Berkeley, California, announced in July 2020 that it would create the Berkeley Department of Transportation (BerkDOT), which will task unarmed civil servants, rather than police, with handling traffic enforcement and issuing citations.<sup>304</sup> The city council will also establish a community safety coalition of city residents to review police responses to calls for service to check for evidence of racial bias in stops and arrests.<sup>305</sup> In February 2021, the city also banned police from stopping drivers for reasons other than serious safety concerns.<sup>306</sup> Likewise, in August 2021, Minneapolis, Minnesota, announced that it would eliminate non-public safety stops as well.<sup>307</sup> Other US municipalities have proposed similar changes, including Cambridge, Massachusetts; St Louis Park, Minneapolis; and Montgomery County, Maryland.<sup>308</sup>

Such approaches have also been successfully applied internationally as well, included in the United Kingdom through Highways England, which oversees the country’s motorways, employs traffic officers instead of police to manage incidents on the road. They have the right to stop vehicles on safety grounds.<sup>309</sup>

## ***2. Use automated traffic enforcement systems:***

Speeding is a primary factor in collisions—especially fatal collisions.<sup>310</sup> Automated cameras, which are commonly used for tolls, significantly reduce speeding, crash-related injuries, and property damage, while yielding significant cost savings.<sup>311</sup> Other research has shown that, when cameras are removed, speeds go up.<sup>312</sup>

Cameras also reduce racial- and gender-based disparities in stops and fine amounts—which police discretion exacerbates—and are popular where implemented, especially among Black drivers.<sup>313</sup> Automation programs also save money. An evaluation of speeding cameras in Scottsdale, Arizona, in 2009 found that the program saved the state \$17 million in crash-related injury costs.<sup>314</sup>

Internationally, Automation saves roughly \$115 million annually in British Columbia; saved €13.6 million in social costs over two years on a major section of English motorway; and resulted in more than €5 million in savings over two years in Barcelona, Spain.<sup>315</sup> In both England and Austria, every one dollar invested in these programs has created five dollars’ worth of benefits,

and every one dollar invested in Western Australia has created at least 10 dollars worth of benefits through reduced social and economic costs associated with crashes.<sup>316</sup>

### ***3. House automation systems outside of law enforcement agencies and ensure mechanisms for oversight:***

The Vera report stresses the importance of transferring automated-camera operations to non-police agencies. For example, in October 2019, Washington, DC, Mayor Muriel Bowser transferred the operation of the city’s traffic enforcement cameras from police to the city transportation department, a move transit advocates believe will improve safety and privacy protections.<sup>317</sup> Likewise, a civilian agency can more easily be subjected to a full ban on the use of facial recognition software in such technologies—technology that we know has already been used by both the HRP and RCMP.<sup>318</sup> Cities like Portland, Maine, and Somerville, Massachusetts, have enacted such bans in the context of street surveillance.<sup>319</sup> Finally, a civilian agency can also be made subject to an oversight board, like in Oakland, California, where the Privacy Advisory Commission monitors the volume and type of traffic citations to assess whether they are disproportionately impacting communities most negatively affected by the criminal legal system.<sup>320</sup>

### ***4. Implement voucher programs for minor traffic violations as an alternative to civil enforcement:***

Programs like Lights On! in Minneapolis, Minnesota provide drivers with vouchers for free light repairs instead of tickets or warnings.<sup>321</sup> These vouchers help break the cycle of debt incurred from fines, improve road safety, and offer a non-punitive solution. These programs currently partner with law enforcement but could alternatively be administered entirely by unarmed, civilian personnel.

### ***5. Improve transportation infrastructure and public transit networks:***

Jurisdictions can reduce collisions by investing in transportation infrastructure—like implementing best practices in road and vehicle design and engineering. These investments should also be used to expand public transit systems that are a safer alternative to driving.<sup>322</sup>

## **Canadian Municipalities**

Saskatchewan implemented civilian police actors known as Community Support Officers (“CSO”) in 2014. CSOs are responsible for some of the police duties such as dealing with traffic citations. Canada’s mental health commission has already found that these “collaborative models for community safety and wellness are showing how this approach can reduce recidivism, increase public safety, and improve quality of life for people living with mental illness.”<sup>323</sup>

Further, as noted above, many jurisdictions, including British Columbia, have implemented automated traffic monitoring systems, including speed cameras.<sup>324</sup> The City of Toronto has fifty speed cameras across the municipality.<sup>325</sup> Within a month of their going fully operational on July 6, 2021, over 20,000 tickets had been mailed out. One camera on Renforth Drive near Lafferty Street in Ward 2 – Etobicoke Centre issued 2,786 tickets, which was 12.5% of all tickets issued that month. The program also recorded 2,239 repeat offenders during that time period.

## Application to the HRM

HRM has been developing traffic calming measures over the past few years, including through the Slow Streets program that the Municipality implemented in the summer of 2020. Many residents who participated in our public consultation also identified traffic calming as a key priority for advancing community safety.

*“It would be very helpful to have programs for road and traffic safety in school neighbourhoods, particularly in areas without sidewalks. It is unsafe for kids to ride their bikes in the road in areas without traffic calming measures, but without sidewalks there is no other option.”*

*“The streets in HRM are very poorly lit. More well lit bus shelters would help... There is hardly a time when a pedestrian can cross and not have oncoming traffic whether turning right on a red, [or] turning left when pedestrians can cross.”*

*“[HRM needs] traffic calming (better street design through passive means - Narrowing intersections, bike lanes, more trees, not speed bumps!), bus shelters, community housing.”*

# Recommendations:

Given the importance of this issue to perceptions of community safety in many HRM residents surveyed, the Subcommittee recommends:

16. Regional Council should increase funding towards traffic-calming and safer-street infrastructure to reduce speeding and unsafe driving across the municipality;
17. Regional Council should continue to develop its active transportation network, as well as its transit rollout, to reduce the number of cars on the road;
18. Regional Council should improve street lighting on sidewalks and in residential neighbourhoods, as well as pedestrian infrastructure at crosswalks and other high-use traffic areas, to improve pedestrian safety in the municipality.
19. The Police Board, together with Regional Council, should advocate for the provincial government, through a legislative amendment or the drafting of regulations, to:
  - a. reduce the speed limit in residential districts to 40 kilometres per hour; and
  - b. grant Regional Council greater ability to set speed limits within the municipality without the need for case-by-case approval from the Provincial Traffic Authority or the Minister of Transportation and Infrastructure Renewal.<sup>326</sup>

Regarding traffic enforcement, there are several potential avenues for HRM to explore for future reform. HRM currently operates a By-Law Enforcement Unit to issue citations related to noise complaints, illegal dumping, dangerous or unsightly properties, and other infractions.<sup>327</sup> This model could be used as a basis for civilian enforcement of motor vehicle offences like speeding within the HRM, as well as responding to traffic collisions. This unit could also direct traffic at parades, protests and other street closures — another traffic-related issue that was identified frequently through our public consultation. **With these possibilities in mind, the Subcommittee recommends:**

20. Regional Council should direct that its “Alternatives to Policing” review include an analysis of opportunities to civilianize the enforcement of motor vehicle offences and traffic-related bylaws, as well as the response to collisions where appropriate, within the municipality;
21. Regional Council should direct that its “Alternatives to Policing” review consider opportunities to develop:
  - a. a civilian unit within bylaw enforcement to direct traffic at parades, protests, and other street closures, and/or
  - b. a training program for volunteers to provide a similar service in certain circumstances.



# Recommendations (cont'd):

- 22.** As a prerequisite for the development of civilianized traffic control teams, the Police Board, together with Regional Council, should advocate for the provincial government to:
- a.** permit civilian traffic control persons to direct the movement of traffic for special events through a legislative amendment or the drafting of regulations; and
  - b.** update the province's training and accreditation processes accordingly.<sup>328</sup>

Additionally, the municipality could explore options for automating parts of its traffic enforcement infrastructure. Automating speed violations alone would result in a significant reduction in police and civilian interactions in the Municipality considering 3,419 speeding tickets were handed out in 2019 by the Halifax District RCMP.<sup>329</sup> Accordingly, the Subcommittee recommends:

- 23.** Regional Council should direct that its "Alternatives to Policing" review explore options for automating parts of its traffic enforcement infrastructure, including through the use of speed and red light cameras. This review must examine opportunities for housing these automation systems outside of police services and establishing mechanisms for oversight to ensure traffic laws are enforced equitably and in a manner that is consistent with protection of privacy legislation.
- 24.** As a prerequisite for the development of automated traffic enforcement infrastructure, the Police Board, together with Regional Council, should advocate for the provincial government to proclaim the Traffic Safety Act, which is intended to replace the Motor Vehicle Act, RSNS 1989, c 293, in order to permit motor vehicle offence tickets to be issued to the registered owner, and not just the driver, of a vehicle.<sup>330</sup>



# **Chapter 6C:**

Third Party Sexual Assault Reporting

# Background

Another area for potential detasking is the reporting of sexual assault to a third party instead of the police.

While anyone can be a victim of sexual assault, research has shown an elevated risk for women and young people, Black, Indigenous and persons of colour (“BIPOC”), members of the 2SLGBTQIA+ community, and individuals with disabilities and/or mental health issues.<sup>331</sup> Women with disabilities are twice as likely to be the victims of violent crimes and twice as likely to have been sexually assaulted in the last year. Further, Indigenous women reported domestic and sexual violence at a rate 3.5 times higher than non-Indigenous women.<sup>332</sup>

Sexual assault is one of the most underreported crimes, with only 5% of sexual assaults being reported to police according to 2014 research from Statistics Canada.<sup>333</sup> Survivors are often very hesitant to involve police. Research has attributed this to a wide range of reasons, including the shame, guilt and stigma of sexual victimization,<sup>334</sup> the normalization of inappropriate or unwanted sexual behaviour, and the perception that sexual violence does not warrant reporting.<sup>335</sup>

Vulnerable and marginalized groups, like immigrants and refugees, sex workers, people with disabilities, racialized and Indigenous groups, and 2SLGBTQ+ individuals, may be especially reluctant to report sexual violence to police.<sup>336</sup>

Even when incidents of sexual assault are reported, complainants face significant barriers at all stages of the legal system, including when making reports to the police. For example, a Globe and Mail investigation in 2017 found that one in five reports of sexual assault in Canada were dismissed by police.<sup>337</sup> Similarly, a Human Rights Watch study reported that Indigenous women and girls who call police for assistance are often met with “skepticism and victim-blaming, and that police often arrest victims of abuse for actions taken in self-defence.”<sup>338</sup>

As a result of these concerns, third party reporting (“TPR”) programs have been established around Canada to allow those who have been impacted by sexual violence to report the assault to a non-police party. The third party then reports the assault to the police, while maintaining the survivor’s anonymity.<sup>339</sup> The survivor can choose whether, at a later time, they would like to proceed with a criminal investigation that could lead to charges.<sup>340</sup> Police use the data to help identify patterns in sexual violence occurrences, which can potentially result in information about serial offenders. Police can contact the third party if they would like to obtain additional information from the survivor, but the survivor must consent to speaking with police or having their personal information shared.<sup>341</sup>

The third party is generally a community-based organization that already engages in victim services.<sup>342</sup> Because they have specialized knowledge in sexual violence, they can also refer or provide survivors with additional supports, like counselling.

While TPR was introduced as a way to encourage reporting among those who would otherwise not come forward to police about sexual violence,<sup>343</sup> now many jurisdictions allow anyone, not just those who would otherwise not report, to report to a third party.

# Approaches in Other Jurisdictions

British Columbia appears to have the longest standing TPR program. TPR in British Columbia was first implemented in 2008, in response to the arrest of Donald Bakker in Vancouver, who was caught sexually assaulting a sex worker.<sup>344</sup> It was later discovered through evidence in his gym bag that he had sexually assaulted 60 women, some of whom were sex workers.

The most recent statistics show that 80 TPRs were forwarded to police from January 2017 to May 2018.<sup>345</sup> Five of these were turned into formal investigations with the survivors' consent. 77 survivors received support from additional programs through the community-based organization to which they reported.

In BC, only a narrow group of individuals are able to access TPR. Survivors must be 19 and over. Those under 19 can potentially use TPR, but it must be assessed on a case-by-case basis. TPR cannot be used as an alternative to police reporting. It must be a last resort for the survivor such that they absolutely would not report the sexual assault otherwise. The program emphasizes that this is generally people from vulnerable and marginalized groups. Where there is a risk of harm or death, survivors are urged to go to the police if they wish to report. TPR cannot be used where domestic violence is present or suspected, since this is a predictor of serious bodily harm or homicide.<sup>346</sup>

Other jurisdictions seem to have a more relaxed approach to TPR. Newfoundland and Labrador's TPR program allows anyone over the age of 18 who has experienced a sexual assault to contact the one participating community-based organization.<sup>347</sup> This means that the survivor does not need to be from a vulnerable or marginalized group or demonstrate that it is a last resort. The Journey Project, the community-based organization in St. John's, indicated they received calls from 795 people in a year.<sup>348</sup>

Manitoba also allows anyone over the age of 16 to use TPR through approved community-based organizations.<sup>349</sup>

Although Alberta does not have TPR, the Edmonton Police Service developed an online reporting system for survivors 16 and over.<sup>350</sup> Through this system, survivors can choose if they want the report to be for the purposes of an investigation or only for informational purposes. If they would like to pursue an investigation, police will follow up with the survivor. The survivor can take as much time as they need to decide whether they would like to proceed with an investigation. The survivor can also choose to remain anonymous if the report is only provided for informational purposes.

In PEI, TPR was considered but ultimately not adopted.<sup>351</sup> Instead, the province adopted what it calls "the third option," where survivors can go to the hospital for a rape kit but can choose whether or not to engage police for an investigation.<sup>352</sup>

# Application to HRM

Although the rate of sexual assault reports deemed unfounded in Halifax (13%) was lower than the national average (19%) for the period between 2010 and 2014, the handling of sexual assault investigations by police in HRM has not been without its challenges.<sup>353</sup> In September 2019, lawyers for the Elizabeth Fry Society of Mainland Nova Scotia alleged that the HRP had “systematically mishandled” the investigation into a sexual assault first reported by Carrie Low 18 months earlier in May 2018.<sup>354</sup>

In 2021, the Chronicle Herald reported on another HRP sexual assault investigation that had been plagued by delays, including a failure by police to obtain a DNA sample from the primary suspect in a timely manner, with the result being that no charges had been laid one year after the initial report in July 2020.<sup>355</sup>

In recent years, however, HRP has taken steps to improve the reporting process for survivors. After an initial report is made to a patrol officer, an automatic referral is made to Victim Services, who contacts the survivor to offer emotional support, provide general information about sexual assault investigations, and set up referrals to other agencies.<sup>356</sup> Victim Services can also help survivors decide whether or not to proceed with a subsequent investigation. Additionally, in 2017, HRP signed onto a national campaign to adopt a “start by believing” approach by police to sexual assault complaints, which is intended to better take into account the trauma survivors have endured when they report sexual violence.<sup>357</sup>

Other positive steps have also been taken to better promote communication and coordination within the Municipality. For example, the Halifax Sexual Assault Response Team (“HSART”) brings together Avalon Sexual Assault Centre, the Nova Scotia Department of Community Services, Capital Health, Sexual Assault Nurse Examiners (“SANE”), Public Prosecution Services, and the Nova Scotia Department of Justice. HSART provides a forum for these different agencies to better understand their respective roles and capabilities, which in turn helps to ensure that survivors receive adequate levels of support.

At a provincial level, the Sexual Assault Services Network of Nova Scotia (“SASNS”) was formed in January 2015.<sup>358</sup> Comprised of over 30 community based organizations, including sexual assault centres, women’s centres, transition houses, and other equality-seeking women’s organizations, anti-violence groups, and organizations that provide services to racialized and marginalized populations, SASNS grew out of an identified need for a provincial approach to a coordinated, inclusive, community-based response to sexualized violence in the province.

According to SASNS, in order to provide for a sufficiently comprehensive response to sexual violence in the province, the “core components” of sexual assault services must include:

1. trauma-informed support services;
2. community-based SANE programs and SANE Response Lines;
3. specialized sexualized violence trauma therapeutic counselling;
4. legal information, support, advocacy, and accompaniment;
5. transitional and emergency crisis housing;
6. a provincial sexual assault crisis line;
7. Indigenous cultural healing practices and ceremonies; and

8. professional education that is trauma-informed, culturally specific and relevant.<sup>359</sup>

In making the case for a province-wide approach, SASNS zeroed in on the need for consistent funding to ensure sustainability:

Some communities in Nova Scotia have established and formalized sexual assault services and community response initiatives to address sexualized violence and respond to victims/survivors. Many of these services are short term or are underfunded and therefore are not sustainable or consistent in service delivery and response. Initiatives under the Provincial Sexualized Violence Strategy and the Provincial SANE Program have resulted in the implementation of further sexual assault services in some areas of the Province. Many of these new programs have demonstrated as addressing service delivery gaps, however many are not sustainable once [Nova Scotia Sexual Violence Strategy] funding is complete. Committed and sustained government funding would lead to consistent and sustainable services province wide.<sup>360</sup>

In HRM, the challenges associated with limited funding are exemplified by the fact that, in 2019, the Avalon Sexual Assault Centre announced that it was temporarily not taking on new counselling cases.<sup>361</sup> Currently, Avalon's therapeutic counselling programming is at capacity, with "a limited number of new requests for supportive counselling" on offer.<sup>362</sup>

In the Subcommittee's view, a TPR program in HRM could complement the core sexual assault services identified by SASNS. TRP offers a safer space for survivors to report sexual assault and provides information to police that would otherwise not be available. It can also enable survivors to access more supports and allow them to feel heard without engaging the formal criminal legal system. However, TRP will only be valuable if adequately funded. It cannot be allowed to become just one more responsibility downloaded onto already strained community organizations struggling to meet their current levels of demand.<sup>363</sup>

## Recommendations:

Accordingly, the Subcommittee recommends:

25. Regional Council should direct that its "Alternatives to Policing" review consider the development of a third-party sexual assault reporting program, either specifically in the municipality or in cooperation with the provincial government. This aspect of the review should be conducted in consultation with, and build off the ongoing work of, HSART, SASNS, the HRM's UN Women Safe Cities Safe Public Spaces Programme, and Women's Advisory Committee. Such consultation is necessary to ensure that any TRP program ultimately developed is accessible, trauma-informed, and culturally competent.
26. Regional Council should examine opportunities to remedy funding gaps (including gaps in operational funding) in sexual assault prevention and response services in the municipality through the creation of a grant program.



# Chapter 7:

Social Reform

# Key Takeaways



Defunding the police is, in many ways, about reinvesting in fundamental, and historically under-funded, community resources.



The two areas of social services needing reinvestment that members of the public most frequently mentioned were:

- mental health and substance use, supports, programs, and services; and
- affordable housing.



The Subcommittee makes several recommendations in these areas, mostly directed to HRM Regional Council. For one, the Subcommittee recommends that Council work towards requesting an exemption under the *Controlled Drugs and Substances Act* that would decriminalize drug possession in HRM.



The Subcommittee also recommends that Council establish a grant program for registered non-profit or charitable organizations in order to promote access to mental health and substance use services for Haligonians.



Among other housing-related recommendations, the Subcommittee recommends that Council significantly increase its annual financial investment in affordable housing projects.



The Subcommittee's last recommendations relate to municipal and police budgeting. One of these recommendations is that any funds diverted from the police budget going forward be redistributed through participatory budgeting processes.



As the preceding chapters have tried to make clear, **defunding the police is not about making cuts to the police budget for austerity’s sake, but instead about reinvesting in vital, safety-promoting, community-building resources that have historically gone underfunded.**

This take on defunding came through loud and clear from our public consultation. Participants identified a range of areas in need of “refunding” in the HRM, including childcare, arts and recreation, education, food programs, libraries, and transit. Participants also identified a variety of existing municipal and non-profit programs and services that, in their view, contribute to public safety and wellbeing.

However, the two areas that members of the public most frequently cited as in need of reinvestment were:

1. mental health and substance use supports, programs, and services; and
2. affordable housing.

As was discussed in Chapter Four, there are clear limits on the Subcommittee’s ability to identify the programs, resources, and other services most in need of reinvestment, or to lay out the precise details of how much money to invest in each. However, in service of addressing these two most commonly cited areas, in this final chapter we briefly provide recommendations that are in keeping with the last two of our four “pillars” of defunding — namely, legislative, regulatory, and policy reforms, on the one hand, and financial reforms on the other hand.

Finally, we conclude the report by providing additional recommendations intended to guide the assessment of the annual HRP budget request by the Police Board and Regional Council going forward, while also better promoting public confidence and citizen engagement in municipal budgeting more generally.

# Mental Health and Substance Use Decriminalization

## Background

Decriminalization represents a range of policy actions to reduce the harms associated with drug use.<sup>364</sup> Harms include diseases such as HIV and Hepatitis C, criminalization and criminal records, drug toxicity death and risky consumption patterns, and stigma associated with drug use.

Decriminalization generally involves removing criminal responses such as incarceration but maintaining non-criminal responses such as fines and warnings.<sup>365</sup> Some drug use advocates argue that current or potential diversion approaches such as drug treatment court, fines, or confiscation of drugs don’t adequately address the harm of criminalizing drug use by failing to combat stigma and encouraging risky consumption patterns such as unsupervised use, access to clean supplies, etc.<sup>366</sup> Therefore, some advocates argue for a “full decriminalization”, without fines or penalties, to reduce stigma, and signal that problematic drug use is a public health problem and not a criminal or regulatory one.<sup>367</sup>



**Figure 1: Spectrum of approaches to drug policy**<sup>368</sup>

## Approaches in Other Jurisdictions

In 2016, the Government of British Columbia declared a public health emergency due to the rise in drug toxicity deaths, mainly caused by opioids, marking the start of the opioid epidemic.<sup>369</sup> COVID-19 has only exacerbated the opioid crisis; more limited access to resources (supervised consumption sites, clean equipment, etc.) during the pandemic has contributed to increased overdoses and deaths.<sup>370</sup>

One response has been to focus resources on harm reduction. Eligible organizations can use section 56 of the Controlled Drugs and Substances Act, SC 1996, c 19 (“CDSA”) to apply for an exemption to the CDSA to create supervised consumption sites (“SCS”) and/or overdose prevention sites (“OPS”). These sites are places where people can go to use drugs without fear of prosecution and be supervised while at the OPS/SCS to avoid drug toxicity deaths.<sup>371</sup> Drug-using people have been the primary organizers for this harm reduction approach and many sites are peer-led.

Following the model first established in Vancouver in 2003,<sup>372</sup> many SCSs and OPSs have been created across the country, including in HRM.<sup>373</sup> However, these sites only exempt drug use and possession while inside. For all the benefits of a harm reduction approach, it does not eliminate all of the problems posed by criminalizing drug possession and represents only one aspect of decriminalization.

In 2019, the City of Vancouver began researching jurisdictions like Portugal to determine if Vancouver could adopt a similar framework to decriminalize illicit drugs.<sup>374</sup> In March 2021, Vancouver applied to Health Canada for an exemption to the CDSA which would decriminalize possession within city limits. The Vancouver model follows a health-based approach to the overdose crisis; the city plans to focus on the social determinants of health, and create intersectional policies that reduce health inequities for people who are “disproportionately impacted or overrepresented in the justice system such as Indigenous people, women and gender diverse people, and/or sex workers.”<sup>375</sup>

The proposed Vancouver model would eliminate criminal charges for possession of any illicit drug under a threshold amount, so long as it was used for personal consumption.<sup>376</sup> If officers from the Vancouver Police Department (“VPD”) find someone in possession of drugs under the threshold amount, they cannot charge them under the CDSA nor can they confiscate their drugs or paraphernalia. The VPD can refer someone to services on a voluntary basis. The City of Vancouver has not specified what services would be offered.

Many people have considerable concerns about Vancouver’s plan, including the VPD’s extensive involvement in its creation. Other concerns are that the threshold amounts (i.e., enough for a 3-day supply) are too low and unreflective of consumption patterns. There are concerns that the threshold could encourage use of more potent substances, and more frequent interactions with dealers.

Another critique is that the exemption does not apply to youth under 19.<sup>377</sup> The Vancouver Area Network of Drug Users (“VANDU”) has said that this proposal would leave many drug-using people unprotected by the exemption.<sup>378</sup> The City of Vancouver has acknowledged that the framework requires further engagement with key stakeholders.<sup>379</sup>

Vancouver’s approach to decriminalization is not limited to an exemption from the CDSA. The City of Vancouver has stated that its decriminalization goals are long-term and depend on policy decisions across many sectors.<sup>380</sup>

Purpose Statement: End the criminalization of people who use drugs for simple possession recognizing that drug use can be potentially harmful.				
Inputs	Outputs	Outcomes	Mid-term Impacts	Longer Term Impacts
Section 56(1) Exemption	Schedule of threshold amounts	Reduction in CJS interactions	Increased use of police resources on other priorities	Reduction in overdose deaths
Set minimum threshold	Guidelines and training	Increase in referrals to health care system	Reduction in drug associated public disorder	Reduced stigma
Support front line decision-makers	Referral resources	Increase in use of safe supply options		Reduced problematic substance abuse in population
Provide alternate (i.e. diversion pathway)	Point of access for health care support	Reduction in street level violence		Improved integration of PWUD in social and economic spheres
	Evaluation	Reduction in property crime		

**Figure 2: Planned interventions and anticipated outcomes of Vancouver’s decriminalization strategy**<sup>381</sup>

Vancouver's approach to decriminalization is guided by the following principles:

1. A **public health approach** is the foundation for regulation, policies and programs.
2. **Evidence and best practices** must guide the design of the framework recognizing there are limited experiences with the implementation of decriminalization approaches.
3. Decriminalization is only one part of a **comprehensive approach to addressing the overdose crisis** and to be successful must be carried out in conjunction with other public health and harm reduction initiatives such as safe supply programs and access to rapid evidence-based substance use treatments.
4. The scope, complexity and intransigence of the problem requires **bold and creative solutions**.
5. The framework must be **tailored** to the characteristics, needs, and interests of the populations and issues in Vancouver.
6. There is a continued commitment to **equity and reconciliation with Indigenous peoples**.
7. **Those most affected** must be engaged in defining the solutions.
8. Given there are risks associated with any innovation, **risk mitigation** must be incorporated in the model.
9. **Evaluation and monitoring** are an important component of any solution to inform policy development and mitigate risks.<sup>382</sup>

If Vancouver successfully obtains an exemption, this may provide a foundation for other cities planning their own decriminalization frameworks, such as Montreal,<sup>383</sup> Ottawa,<sup>384</sup> and Toronto.<sup>384</sup> Beyond these case-by-case, municipality-specific approaches, many organizations are demanding the creation of a Canada-wide exemption to the CDSA following a similar approach to Vancouver's proposal.<sup>386</sup>

Government parties have stated that they support a public health approach to drug use and addiction, rather than a criminal justice approach.<sup>387</sup>

Legislation introduced in the House of Commons in February 2021, Bill C-22, addresses decriminalization by proposing a new section of the CDSA which attempts to divert drug use away from the criminal justice system.<sup>388</sup> The Bill would introduce section 10.2 to the CDSA, giving police and prosecutors discretion to not lay a charge, give a warning, or provide resources to people in possession of controlled substances.<sup>389</sup> One potential problem with this bill is that it does not decriminalize possession, and it grants excessive deference to police and prosecutors which has the potential to increase inequalities in criminalization. Bill C-22 did not pass third reading before the sitting of Parliament ended ahead of the 2021 election.

Decriminalization of drug possession has wide support across the country from over 180 organizations, including the World Health Organization, the United Nations, human rights groups, drug-use advocates, and prison advocates.<sup>390</sup>

Outside of Canada, other countries have implemented decriminalization policies. Portugal is a leading example, having decriminalized drugs for personal use in 2001. Portugal has seen a decrease in drug use, criminalization related to drugs, and drug-related disease and death.<sup>391</sup>

Other positive outcomes include an increase in people seeking treatment for drug use, while the social cost of drug misuse has decreased.<sup>392</sup> Although Portugal was one of the first countries to introduce a decriminalization framework, it is certainly not the only one. Many countries have introduced decriminalization policies along a spectrum from removing any punishment for possession (Uruguay) or keeping possession as an offence but directing police not to intervene, at their discretion (the Netherlands).<sup>393</sup>

## Application to HRM

The recurring theme linking all the proposals for decriminalization is the emphasis on public health, and the recognition that addressing substance use with the criminal legal system creates additional harms. The central goal of any approach to decriminalize should be to reduce the stigma and health problems associated with drug use.

The biggest challenge policymakers will have to consider when creating a decriminalization framework is how the new rules will be enforced. If policymakers want a public health focus, too much involvement from police may jeopardize efforts to increase treatment while reducing criminalization and stigma. However, police will often be a part of any framework involving decriminalization as Canadian jurisdictions have thus far only attempted to decriminalize personal possession while trafficking and production remain illegal. Therefore, the problem facing police and policymakers will be how to ensure that police do not target vulnerable drug user groups through overcharging, thus undermining the overarching goals of the decriminalization policy.

### **Accordingly, the Subcommittee recommends:**

27. As part of its ongoing efforts to develop a municipal drug and alcohol strategy, Regional Council should convene a multi-sector working group to advise on developing a health- and social equity-based approach to decriminalization, as a step toward requesting an exemption under the CDSA for the possession of all drugs for personal use in HRM.

## Addressing Funding Gaps for Non-Profit Service Providers

Although wait times for accessing both urgent and non-urgent mental health and substance use services have improved in recent years, despite increasing demand during the COVID-19 pandemic, many challenges remain.<sup>394</sup>

For example, a 2021 report from the Nova Scotia College of Social Workers, *Repositioning Social Work Practice in Mental Health in Nova Scotia* (the “NSCSW Report”), describes the devastating impact of long wait times. To consider just one example, the Report shares the perspective of “Susan,” a provider, who said: “I think you know we have some wait times that are just unacceptable. I’m particularly thinking of our trans health folks and the wait times and their heart drops” when told they are on the waitlist and will be contacted at some point, but “in all honesty [it] could be a year and a half, two years.”<sup>395</sup>

The NSCSW Report found that wait times for an initial “intake” have decreased, but wait times to access treatment have not: “people can receive an initial assessment and then wait a year to actually see a mental health service provider, so the wait time is invisibilized rather than changed.”<sup>396</sup> Indeed, many consultation participants agreed that “the current intake system was meant to restrict access to mental health and addiction services.”<sup>397</sup>

Additionally, the NSCSW Report identified a widespread concern that efforts to decrease wait times have come at the expense of quality of care. Consultation participants explained that, “in order to reduce the waitlist, there needed to be an overall reduction in the length and duration of mental health services for individuals. As a result, service providers feel pressured to move people through the queue quickly and off the waiting lists, which impacted the way that social workers were able to take the time to meaningfully engage with those accessing services.”<sup>398</sup>

The findings of the NSCSW Report also indicate that there is very little community-based work or commitment to providing culturally and socially appropriate services for African Nova Scotians, Indigenous communities, and 2SLGBTQIA+ communities.<sup>399</sup>

The Subcommittee acknowledges that health is, constitutionally speaking, a matter of provincial jurisdiction that is outside the scope of municipal authority in the *Halifax Regional Municipality Charter*, SNS 2008, c 39. HRM is unlikely to get in the business of delivering mental health and substance use services.

However, Regional Council enjoys significant discretion through its grant programs.<sup>400</sup> For example, earlier this year, Regional Council doubled the annual amount available through its Affordable Housing Grant Program to \$400,000.<sup>401</sup> Registered non-profit or charitable organizations in the municipality can access funds through the program for the development or renovation of affordable housing units.<sup>402</sup> Housing is similarly a matter of provincial jurisdiction, but HRM has shown a recent willingness to take action in this area. The same should happen with mental health and substance use.

## Accordingly, the Subcommittee recommends:

28. Regional Council should establish a grant program for registered non-profit or charitable organizations in order to promote access to mental health and substance use services for Haligonians, with a particular focus on:
  - a. programs and services intended to address “gaps” in existing services by:
    - i. bridging the wait times between an initial intake appointment and actual treatment; and
    - ii. providing support to individuals who have been “discharged” from provincial treatment but are still in need of services; and
  - b. culturally and socially appropriate services for African Nova Scotians, Indigenous communities, and 2SLGBTQIA+ communities.<sup>403</sup>

*“Police should play less of a role in the use and possession of personal amounts of drugs [and] should only be involved where a person is at risk of causing harm to another person. If a person is handling or intoxicated by drugs, or is in a state of distress and requires assistance, this should [be] handled by a nurse or social/community worker.”*

*“Research and evaluation of best practices in certain areas (e.g., mental health) and then looking to see who in our community is best suited to provide those services. When other groups are identified, funding from the police budget should be reallocated to increase capacity on these groups.”*

*“Better access to healthcare and mental health services, affordable housing, community pantries, equitable funding for communities, etc.”*

# Affordable Housing

## Background

### What is Affordable Housing?

Affordable housing was one of the most frequently mentioned areas for reinvestment from our public consultations. In this section, we explore what it means for housing to be “affordable,” the roots of the current housing crisis, and what reinvestment in affordable housing by the HRM could look like in practice.

First, it is critical to define housing. Housing is often referred to as a continuum, capturing those who are unhoused on one end, to those who rent via the market or are homeowners on the other. Thus, the housing continuum captures a range of housing types available in a community, each of which is critically important for different people at different times and stages in their lives.<sup>404</sup> These housing types may also be characterized by various tenure or “ownership” arrangements, spanning rental, owner-occupation, or cooperative ownership.<sup>405</sup> Housing is typically either provided by the government, the private sector, or non-profits.



**Figure 3: The Housing Continuum, Canada Mortgage and Housing Corporation.**<sup>406</sup>

Housing is recognized as a human right in both international and Canadian law. In 1948, the United Nations recognized housing as part of the right to an adequate standard of living in the Universal Declaration of Human Rights.<sup>407</sup> Canada is also signatory to the 1966 International Covenant on Economic, Social, and Cultural Rights, which compels nations to advance human rights, including the right to housing.<sup>408</sup> The United Nations has since clarified that “adequate housing” is multi-faceted, and means:

- security of tenure (freedom from forced eviction);
- availability of services and infrastructure (acceptable sanitation and utilities);
- affordability (a low enough cost that a person’s enjoyment of their other human rights is not impacted);
- habitability (suitable space and protection against the elements);
- accessibility (meeting the specific needs of disadvantaged and marginalized populations);



- acceptable location (safe, and proximate to employment, healthcare, childcare and education); and
- culturally adequa[cy] (accounting for and respecting cultural identity).<sup>409</sup>

In the absence of housing, an individual may be considered homeless, though an increasingly used term is “unhoused.” According to the Canadian Observatory on Homelessness (“CAOH”) homelessness “describes the situation of an individual, family or community without stable, permanent, appropriate housing or the immediate prospect, means and ability of acquiring it.”<sup>410</sup> The pathways into homelessness are complex, and include factors such as “systemic or societal barriers, a lack of affordable and appropriate housing, the individual/household’s financial, mental, cognitive, behavioural or physical challenges, and/or racism and discrimination.”<sup>411</sup>

The recognition of housing as a human right is also grounded in an understanding of housing as a social determinant of health.<sup>412</sup> Indeed, a lack of adequate housing, or situations in which individuals find themselves unhoused, are associated with numerous negative health outcomes, both physical (including diseases and chronic illnesses) and mental.<sup>413</sup>

According to the Canada Mortgage and Housing Company (“CMHC”), housing is affordable when a household spends less than 30% of its income, pre-tax, on housing. Households that spend more than 30% of their income on shelter are deemed to be in core housing need, and those who spend 50% or more on shelter are said to be in *severe housing need*.<sup>414</sup> While more recent data is needed, in 2016 it was estimated that 12.8% of Nova Scotians lived in core housing need, which was disproportionately experienced by those who rent.<sup>415</sup>

The *Halifax Regional Municipality Charter* defines affordable housing as “housing that meets the needs of a variety of households in the low to moderate income range.”<sup>416</sup> This definition encompasses a range of housing types that can address deep affordability for vulnerable populations, or more moderate affordability for the working population. Indeed, affordable housing is a key priority of HRM, reflected across several policies and strategic plans.

For example, affordable housing is identified as a key priority in the Municipality Strategic Plan 2021-2025, a document which establishes Regional Council’s priorities over that time period.<sup>417</sup> The plan states that:

Success in the provision of housing involves the provision of adequate supply to meet demand and ensuring that this supply is available in locations that will not create cost or environmental barriers. The Regional Plan will spell out where housing will be permitted, while local area plans will speak to the form. As the municipality is the regulator of supply, its role is to ensure there are no policy barriers to the provision of the supply. Policy should include opportunities for market, mixed market, below market and deep affordability housing.<sup>418</sup>

Housing is also a pillar within HRM’s Social Policy, which endorses the goal that: “HRM is a leader in fostering partnerships that provide access to a full range of quality, affordable housing options in safe and vibrant neighborhoods.”<sup>419</sup> While commendable, there remain significant gaps between HRM’s strategic planning and policy commitments, and what is currently being implemented on the ground.

# The Housing Crisis

Halifax is in the midst of a housing crisis. Nationwide, Canada has been experiencing rapidly increasing housing prices, with average home prices increasing by 80% between 2009 and 2019.<sup>420</sup> Rental market housing has also skyrocketed nationwide — in HRM, average rent for a one bedroom apartment was \$1,473 in 2020, up from \$904 in 2018.<sup>421</sup> Meanwhile, Halifax has had persistently low rental vacancy rates. In 2019, according to the CMHC’s rental market survey, Halifax’s rental vacancy rate was 1.0%. In 2020, this increased slightly to 1.9%, largely attributed to the absence of students as a result of the pandemic.<sup>422</sup>

The COVID-19 pandemic has further accelerated the housing crisis in HRM. As a result of social distancing regulations in emergency shelters, together with significant socio-economic pressures, Halifax’s homeless population has doubled.<sup>423</sup>

Amidst the pandemic, Halifax has been the second fastest growing region in Canada, having experienced steady population growth over the past five years.<sup>424</sup> This has placed significant pressure on HRM’s already low supply of affordable housing stock. As a result, there is a tangible and urgent mood in the municipality that the housing crisis is becoming increasingly dire.

This sentiment animated many of the responses from our public consultations and confirms that urgent action is needed, from all levels of government, to address the housing crisis.

## Housing Through the Market

The causes of the housing crisis are a result of highly complex, interconnected factors. Researchers and academics suggest that the main drivers nationally have been increasing land values, low interest rates, rampant real estate speculation, and a long period of austerity from all levels of government in the provision of affordable housing.<sup>425</sup>

This last cause, government austerity, is one of the most consequential. Between 1945 and 1993, the federal government invested significantly in social, not-for-profit housing, resulting in a large stock of publicly owned housing.<sup>426</sup> However, a significant period of austerity began in the 1990s, often referred to as the “neoliberal retrenchment,” in which the federal government cut all of its spending on housing and subsequently downloaded this responsibility onto the provinces.<sup>427</sup> Many provinces, including Nova Scotia, replicated this retreat, looking to the private sector, municipalities, and the not-for-profit sector to pick up the slack.<sup>428</sup>

This resulted in over two decades of little to no government investment in affordable housing, which is said to be one of the most significant causes of the present-day housing crisis.<sup>429</sup>

This decline in government support occurred in tandem with the financialization of Canada’s housing market.<sup>430</sup> “Financialization” refers to the increasing reliance on for-profit delivery of housing. Financialization negatively impacts tenants and the affordability of housing through increases in rent, cuts to services, and the introduction of new user fees, as property owners — often large development companies — seek to recoup as much profit as possible.<sup>431</sup>

Financialization is present in Nova Scotia, which has a higher proportion of housing stock owned by financialized landlords compared to provinces such as Ontario, Manitoba, British Columbia, and Quebec.<sup>432</sup> In her national survey of financialization, Martine August, a scholar in the School of Planning at the University of Waterloo, found that: “provinces that are over-represented in terms of [real estate investment trust (“REIT”)] ownership have weak or no rent control, including Ontario, Alberta, Saskatchewan, the North (Northwest Territories and Nunavut), and parts of Atlantic Canada (Nova Scotia, New Brunswick, Newfoundland and Labrador).”<sup>433</sup>

In Halifax, like many major urban centres, a significant majority of individuals rent, with the majority of rental housing provided by the private, for-profit sector.<sup>434</sup> A recent survey done by the CMHC identifies only 12,341 units of public housing in Nova Scotia, and census data show that only 12.3% of renter households live in subsidized housing.<sup>435</sup>

However, providing shelter predominantly via the private marketplace is at odds with shelter being both a human right and a major social determinant of health. This is largely because private market housing providers have few incentives to make housing affordable — a fact noted in the recent report *Charting a New Course for Affordable Housing in Nova Scotia* authored by the provincially-appointed Nova Scotia Affordable Housing Commission.<sup>436</sup> In this report, a key finding is that “it is too expensive to build and operate affordable housing.”<sup>437</sup> The report argues that developers are deterred from building affordable housing for several factors, including high costs of new construction, acquiring land, and ongoing operational expenses.<sup>438</sup> Indeed, the lack of incentive for private developers to build affordable housing is true, and is the logical basis for why the government must intervene in the market.

While the Commission asserts that developers merely seek to ‘recoup’ their costs, this is misleading. Rather, development companies in Nova Scotia have made steady and continuous profits throughout the pandemic; for example, Killam REIT — one of the province’s largest development companies — generated net operating income of \$164.7 million for the fiscal year 2020, which was an 8.1% increase from net operating income of \$152.3 million recorded in fiscal 2019.<sup>439</sup>

Concurrently, housing wealth, which is an aggregate measure of the market value of all the residential assets located in a particular country, is now above 430% of disposable income in Canada as of 2018, with consistent increases since the 1990s.<sup>440</sup> While it is true that building affordable housing is expensive, the private market neglects to do so specifically because it is not profitable enough. In effect, the paradox of the housing crisis is that “it has literally created wealth under the feet of one set of Canadians and foreign property owners—many of them already wealthy—while making simple existence for another set, in particular the urban poor, increasingly difficult.”<sup>441</sup>

## Recommendations

Regional Council is already undertaking a variety of projects intended to improve access to affordable housing and address homelessness in the HRM, both on its own and in cooperation with the provincial and federal governments. These include HRM’s participation in the federal Rapid Housing Initiative (“RHI”); direction of funds toward securing emergency accommodations for people facing homelessness and housing insecurity; the creation of the Affordable Housing Grant Program; tax relief and the waiver of municipal fees; and the upcoming rental registration bylaw.<sup>442</sup> These municipal efforts complement other initiatives announced as part of the provincial government’s housing plan released in October 2021.<sup>443</sup>

Housing is a complicated, multifaceted topic, and there are multiple experts working on this issue in Nova Scotia and beyond. However, in the remainder of this section, we offer some high-level recommendations drawn from our public consultation efforts.

## A Human Rights-Based Approach to Housing Policy

Since 2013, HRM has been a member of the Housing and Homelessness Partnership (“HHP”), which involves nine partners from the three levels of government, the private sector, and non-profit organizations in Halifax.<sup>381</sup> The HHP’s mandate is to “end homelessness and housing poverty in Halifax” by addressing policy and systematic issues. In July 2018, Regional Council endorsed the Affordable Housing Work Plan (the “Work Plan”), which outlines the major contributions of the municipality to meet the five-year targets of the HHP.<sup>445</sup>

As discussed earlier in this chapter, despite the lofty goals of the HHP, in recent years homelessness has increased significantly while the vacancy rate has plummeted. Although there are a number of contributing factors to these trends, urban planner David Harrison has argued that the Work Plan is part of the problem. At a basic level, Harrison explains that the main reasons the Work Plan is not working are “a lack of financial commitment and the need for a more effective organizational framework that responds to community needs.”<sup>446</sup> Enumerating the issues with the Work Plan, he writes:

- The Work Plan is not a strategy or a business plan, in other words, it does not spell out what should be done, when, and by whom. No monitoring or reporting protocols are included.
- Reports listed in the 2018 Work Plan have not been completed.
- HRM does not track its housing needs [having not updated the Housing Needs Assessment conducted through the HHP in 2015]
- HRM is apparently unwilling to deal with costly regional development charges which are detrimental to the construction of new non-profit housing units.<sup>447</sup>

More fundamentally, the Work Plan lacks a principled foundation to guide its implementation. In this regard, the Subcommittee echoes a call from the Housing For All Working Group’s 2021 report, *Keys to a Housing Secure Future for All Nova Scotians*, that governments, including the HRM, implement a human-rights based approach to housing. In practice, this approach:

Emphasizes justice, dignity, and equality, understands housing as key to creating opportunities for all residents to participate and thrive in their communities, and rejects stop-gap solutions in favour of taking a proactive stance on prevention and early intervention. Unlike a market approach to housing in Nova Scotia, a rights-based approach to housing makes evident that “human rights are interdependent, indivisible and interrelated.”<sup>448</sup>

## Accordingly, the Subcommittee recommends:

29. Regional Council must ensure that a human rights-based approach informs:

- a. its Affordable Housing Work Plan, as well as any subsequent strategies or business plans to guide the municipality's approach to affordable housing going forward; and
- b. the long-term strategy to guide the municipality's response to homelessness that will be developed in the 2021-22 fiscal year.<sup>449</sup>

## Support for Increasing the Stock of Affordable Housing

Notwithstanding the efforts discussed above, two things are clear. First, it will require a significant financial commitment to improve access to affordable housing in the HRM. Second, as it stands right now, Regional Council is not spending enough on affordable housing. This is despite the fact that, in September 2021, the provincial Department of Municipal Affairs and Housing confirmed there is nothing in the *Halifax Regional Municipality Charter* or the *Municipal Government Act*, SNS 1998, c 18 prohibiting HRM from investing in affordable housing.<sup>450</sup>

To illustrate the extent to which HRM is lagging behind other municipalities in Atlantic Canada, David Harrison compared the financial contributions made by eight municipalities to affordable housing as of September 2021, calculating the per capita contribution for each.<sup>451</sup> His review looked at municipal funding only, and so does not include federal funds through the RHI, the value of any land donated (which in HRM represented a \$236,534 in-kind contribution in 2020),<sup>452</sup> or the cost of waiving building permit fees or property taxes.

Based on the date when the review was conducted, it also does not include the HRM's expenditure to purchase and install temporary modular housing units to house people experiencing homelessness and provide shared kitchen and laundry facilities.<sup>453</sup>

Municipal Government	Estimated Per Capita Financial Contribution	Notes
City of St. John's	\$28.08 annually	St. John's made its first funding commitment to affordable housing in 2010; today it is making an annual \$3.2 million commitment. The City owns and operates 476 affordable housing units. With 6 staff, the Non-Profit Housing Division of the Community Services Department manages the housing portfolio and leads the implementation of the City's 10-year affordable housing strategy.

Municipal Government	Estimated Per Capita Financial Contribution	Notes
Town of Yarmouth	\$47.81 per year for 2 years*	<i>*The timing of the Town's \$650,000 contribution is not known. The per capita amount shown here is for 2 years. If the Town's contribution will be made in 1 year, then the per capita contribution is \$95.62. If the Town's contribution will be made over 3 years, then the per capita amount is \$31.88 per year. The Town's contribution of \$650,000 is for the construction of 27 affordable units as part of a 54-unit mixed income housing project.</i>
City of Moncton	\$25.77 per year for 3 years	Moncton is investing \$6 million to support the development of 125 units of affordable housing.
City of Miramichi	\$20.81 in a single years	Miramichi is investing \$250,000 to support recommendations in its housing needs study; facilitate a mixed income housing project on municipal property; and make \$10k grant per unit available for new affordable housing.
Municipality of the District of Chester	\$9.71 in a single year	The District of Chester will provide \$100,000 to help a non-profit housing group develop affordable housing in New Ross.
Town of Antigonish	\$4.58 per year for 5 years	\$100,000 is being provided to help the Antigonish Affordable Housing Society develop 12-units of affordable housing on land donated by the County of Antigonish. The Town has previously donated land for an AAHS project.
Halifax Regional Municipality	\$2.23 in a single year	Based on \$500k annually for homelessness, \$400k for affordable housing and an estimated \$100k from community and district grants in 2021-2022. Land has been recently donated for an affordable housing project in Dartmouth.
Municipality of the County of Antigonish	\$1.37 per year for 5 years	\$100,000 is being provided in cooperation with the Town of Antigonish - both governments are helping to cost share a 12-unit affordable housing project on land donated by the County.

**Figure 4: Per capita municipal spending on affordable housing in the Maritimes**<sup>454</sup>

This state of affairs cannot continue. Although housing is a provincial responsibility, if HRM wants to begin to meaningfully tackle the housing crisis in this city, then it must at a minimum match the financial contributions made by other municipalities in the region.

## Accordingly, the Subcommittee recommends:

- 30.** Regional Council must significantly increase its annual financial investment in affordable housing projects in the municipality so as to align its spending with other peer municipalities in Atlantic Canada, including by:
- a.** expanding the Affordable Housing Grant Program with the aim of distributing at least \$1,000,000 to registered non-profit or charitable organizations annually by fiscal 2022/23. Regional Council should also consider relaxing the eligibility criteria for the program to permit non-profits to apply for funds to cover the cost of building maintenance, as well as staffing for supportive housing programs;
  - b.** matching provincial and private contributions to Housing First in HRM, so as to increase the number of vulnerable and chronically homeless people the program can support;
  - c.** in light of the fact that much of the federal funding available for affordable housing fails to meet measures of “deep” affordability,<sup>455</sup> focusing municipal efforts on projects that aim to expand access to:
    - supportive housing programs;
    - second-stage and transition housing;
    - rent-geared-to-income housing options;
    - co-operative housing; and
  - d.** increasing the municipality’s capacity in regard to affordable housing service delivery, including by:
    - hiring additional staff and restructuring existing departments; and
    - exploring options for creating an arm’s-length, third party entity, similar to the Halifax Partnership, that can directly engage in the construction and management of affordable housing projects

*“Gradual but actual cutting of their funds to create better housing opportunities and accessible mental health resources for everyone.”*

*“Building public housing, making communities accessible, free transit, free education, ending drug prohibition.”*



# Promoting Public Confidence and Citizen Engagement in Municipal Budgeting

## Assessment of the Annual HRP Budget Request

As discussed earlier, responsibility for the police budget rests primarily with the Police Board. Under section 53 of the *Police Act*, the Police Board causes the Chief to prepare the budget, then, upon granting their approval, forwards it to Regional Council. Council has the power to approve or reject the budget, but not to amend it without the Board's approval.

In the Subcommittee's view, the budgetary approval process presents opportunities for both the Police Board and Regional Council to promote greater accountability with respect to the police budget. This can be done in at least two ways: first, by aligning the level of funding for the HRP with comparable peer cities, and second, by tying budgetary approval to performance metrics.<sup>456</sup>

### Aligning Funding with Cities of Comparable size

As noted in Chapter Two, between the HRP and the RCMP, the HRM collectively spent \$127.4 million on policing in fiscal year 2019/2020, which works out to \$265 per capita for both services.<sup>457</sup>

However, spending on the RCMP portion of the police budget will likely increase significantly in the near future, which in turn will cause the overall budget to rise. This is because the union that represents RCMP members ratified a new contract in August 2021, which will see salaries for constables increase by as much as \$20,000 a year and even more for some staff sergeants. These changes come into effect April 1, 2022 and include retroactive increases back to 2017.<sup>458</sup>

Notably, when the RCMP and the population that they serve is excluded from these figures, Haligonians spent approximately \$393 per capita on the HRP in 2019/20, which is higher than many other Canadian municipalities, as well as the national average. To consider just one example, in 2019/2020, the per capita spending on policing in London, Ontario — a city of 508,000 people — was \$272.83.<sup>459</sup>

## Accordingly, the Subcommittee recommends:

31. The Police Board and Regional Council should aim to bring per capita spending on the HRP more closely in line with cities of comparable size and population across Canada, such as London, Ontario (especially in light of rising costs associated with the Halifax District RCMP).

## Tying Budgetary Approval to Performance Metrics

As the Edmonton Community Safety and Well-being Task Force recognized, “funding is a powerful incentive for change and progress.”<sup>460</sup>

Both the Police Board and Regional Council have important roles to play here.

The Police Board can do a better job of ensuring that its budgetary approval function and its oversight and governance functions complement one another. In addition to its policy-making power — which we have recommended be exercised more readily — the Police Board has a variety of ways to set expectations for the HRP. These include the Board’s own annual work plan, its annual review of the HRP strategic plan and budget planning, and its annual review of the RCMP budget. These levers should all be used more effectively to drive reform.

Regional Council can also do more. For some time now, the extent to which Regional Council can make its approval of the HRP budget conditional on the achievement of certain objectives has needed clarification. The main concern is to ensure the Council does not usurp the Chief’s sole jurisdiction respecting the actual day-to-day direction of the police department under section 38(5) of the *Police Act*.

However, in 2020, when Regional Council was deciding whether to take back funds that had been provided to the HRP to purchase an armoured vehicle, Councillor David Hendsbee wanted to know whether it might be a fair compromise to give the HRP the money for the vehicle, but require them to develop a policy restricting its possible uses. He was worried that requiring the HRP to implement such a policy would conflict with the Chief’s sole jurisdiction over operational matters. A Municipal Solicitor for the HRM, John Traves, clarified that, in his opinion, tying police funds for the armoured vehicle to a requirement that a policy be implemented regarding its use would not be contrary to the *Police Act*.

Although Councillor Hendsbee’s proposal was ultimately voted down, its implications could potentially be far-reaching. It could mean that, going forward, the HRM Council could and should take a more active role in progressive reform by tying their approval of the HRP budget to other important community objectives.

## Accordingly, the Subcommittee recommends:

32. The Police Board should exercise its full statutory authority in respect of funding, governance, and oversight to drive reforms to policing in HRM.
33. The Police Board and Regional Council should
  - a. identify performance metrics for the HRP and RCMP, which should be informed by the recommendations of this report, the Wortley Report, Regional Council’s upcoming policing reviews, and further community consultation; and
  - b. tie their approval of at least some portion of the annual police budget request to the achievement of these metrics.

# Improving and Expanding Participatory Budgeting

Participatory Budgeting (“PB”) is a democratic process in which community members decide how to spend part of a public budget, giving people real power over real money.<sup>461</sup> PB aims to rebuild public confidence in civic engagement by giving communities decision-making control and the ability to define for themselves what it means to be safe, healthy, and thriving.<sup>462</sup>



Figure 5: Steps involved in a typical participatory budgeting process<sup>463</sup>

PB is a cycle of engagement that is integrated into a regular budgeting process. A typical PB process follows the steps in the graphic above, but can be adjusted to fit the needs of the community.

PB started in Porto Alegre, Brazil in 1989, and has since spread to over 3,000 cities around the world, having been used to decide budgets for states, counties, cities, housing authorities, schools, and other institutions.<sup>464</sup>

HRM already engages in PB to some extent. Every year, each district in the HRM is provided with a budget for a District Capital Fund for permanent projects in the community that provide widespread community benefit.<sup>465</sup> Councillors have the discretion to determine which organizations receive funds in the district they represent, with some councillors having chosen to use a PB process.<sup>466</sup> In these cases, to be eligible for funds through the programs, applicants must be a not-for-profit community group or organization, or be partnered with one. Once all applications are received, residents of the district are provided an opportunity to recommend their favourites, though ultimately the decision rests with the councillor.<sup>467</sup>

In response to calls to divest from policing and reinvest in community-based social services, many municipalities have turned to PB processes to determine how best to redistribute funds moving forward. In Portland, \$1 million has been reallocated from the police to a PB process intended to address the city's housing and homelessness crisis.<sup>468</sup> Meanwhile, Seattle allocated \$30 million to a PB process in 2021, with \$12 million being diverted from the Seattle Police Department and the remaining \$18 million coming from the Mayor's Equitable Communities Initiative Fund, which is sourced from cuts to several departments and new taxes.<sup>469</sup>

Importantly, for the outcome of the PB process to truly reflect community needs, the process itself needs to be community-controlled, with members of the public, not government institutions, designing and convening the process. The independence of the process from municipal government will allow it to focus on community consensus for spending. As advocates in Seattle have acknowledged, "while every resident has an investment in the budget, the community members most impacted by the legacy of over-investment in policing and disinvestment in their well-being—[Black, Indigenous, and people of colour communities]—must be centered in shaping the new vision for the city's public safety dollars."<sup>470</sup>

## Accordingly, the Subcommittee recommends:

- 34.** Regional Council should ensure that funds diverted from the police budget going forward are redistributed through participatory budgeting processes. Such processes could occur at multiple different “levels,” including:
  - a.** geographic area (e.g., district-level, a combination of districts, or the entire municipality);
  - b.** subject matter area (e.g., mental health and substance use, traffic safety, affordable housing);
  - c.** community-specific (e.g., African Nova Scotians, Indigenous communities, and 2SLGBTQIA+ communities); and
  - d.** any combination of the above.
- 35.** Regional Council should direct that a new policy be drafted, which empowers and supports community members to design and convene participatory budgeting processes on their own terms.
- 36.** Regional Council should explore opportunities to expand the use of participatory budgeting, as well as other enhanced public participation methods, as part of its annual Budget Committee process.



# Addendum:

August 18th Encampment  
Evictions and Aftermath

As this report neared its completion, policing again became a significant topic of public and political discussion due to the police-enforced evictions of unhoused people in the HRM on August 18.

While these evictions took place at numerous sites including Peace and Friendship Park, Horseshoe Park and Victoria Park, it was the evictions at the former site of the Halifax Memorial Library on Spring Garden Road that led to the most controversy. Ultimately, the events of that day resulted in: a public outcry about the criminalization of homelessness; debate about the role of city council in respect of police operations; concerns about police taking off or not displaying name tags, as well as the display of thin blue line patches; and concerns about the violence of the evictions, including the use of pepper spray.

Journalists at the scene also reported attempts by police to prevent them from covering the events of the day as they unfolded. For example, Zane Woodford, writing for the Halifax Examiner, reported that “police started trying to restrict journalists’ movements, despite objections, and threatened to arrest multiple reporters throughout the day for obstruction.”<sup>471</sup>

What happened on August 18 represents a policy failure at multiple levels. It is a reflection of longstanding and systemic issues with policing in HRM, including the Municipality’s reliance on police to address complex social needs; excessive force by police; and the militarization of the police. The violence that occurred happened because people were being forcibly removed from their homes, with no viable plan in place to provide them with safe housing elsewhere.

Notably, through a statement issued by CUPE 108, municipal workers condemned the “controversial, ill-planned and unsafe situation” they faced due to HRM’s directive to remove the shelters.<sup>472</sup> Specifically, CUPE 108 President Scott Chetwynd stated, “Our members want the public to know that they would have opposed the removal of the shelters, as they have done previously.”<sup>473</sup>

These statements by journalists and workers are significant in that they demonstrate the ways in which policing does not only impact the targeted community--in this case, through the evictions of the unhoused--but it also has a “ripple effect” on many members of the community. This particular incident shows the ways in which concerns regarding how we resource police and the roles we use police for touch on many interconnected social issues.

In the case of the city workers, the trauma they attest to experiencing as a result of the events of August 18 also presents challenges to the idea of simply integrating civilians into police operations. As the CUPE 108 statement reveals, the workers felt they could not refuse unsafe work when ordered by management--a power inequality further exacerbated by the police presence. This event indicates that simply bringing in workers to perform tasks that still take place in a framework of policing is not adequate, risks making those workers unsafe, and does not reduce concerns about police violence or lack of oversight. De-tasking the police cannot simply mean using workers for select tasks the police are not trained for (in this case, dismantling shelters).

While public discourse is certainly never uniform and there were voices supporting the police actions, a significant portion of the public response expressed criticisms around the policing of shelters and encampments. This policing incident, which took place in the heart of downtown Halifax, made visible many of the issues that this report takes up. The over-resourcing of police and the corresponding under-resourcing of social supports leads to the criminalization of socially-based issues of poverty, mental health, addictions, and trauma.

Additionally, concerns about police accountability and oversight, as well as the increased militarization of police, are all issues that were raised through the Subcommittee's public consultation, and which are also identified in the research and scholarship on the increased investments in policing and its impact on how communities are policed.

In particular, as the CUPE 108 statement emphasized, the events of August 18 raised many concerns about the chain of decision-making authority and accountability. While the mayor and city councillors repeatedly stated that they have no authority over police operations, it is, for example, clear from the CUPE 108 statement that city management, including CAO Jacques Dubé, gave the directive to workers to remove the shelters. According to Scott Chetwynd:

In the early hours of Wednesday, August 18, outside workers employed by Halifax Regional Municipality were directed by management to take down shelters and to remove, box, label and store personal belongings. This occurred at municipal properties including Peace and Friendship Park, the old Halifax library, the Commons, and other sites.<sup>474</sup>

In a August 30 post on his personal website, councillor Waye Mason, in whose district this incident occurred, acknowledged that:

HRM also has to hold ourselves accountable for where we failed. We simply didn't have the ability to ensure that the coordination was taking place, and connections were being made between our staff, the province, and the service agencies.<sup>475</sup>

Mason also recognized that "HRM's communication on this has been less than great."<sup>476</sup> While Mason recognized particular missteps on the part of the city, the broader issue of the siloing of police operations as completely separate from all municipal responsibilities - when they vote on the municipal budget that gives police those operational funds - indicates the difficulties that those who have complaints about police as well as the broader public have in seeking accountability from the city.

Commentators also recognized the links between conversations on defunding and the police action on August 18, noting that the money used to evict those in encampments could have been used to support housing initiatives and other social services. For example, a CBC article by Francis Willick's quotes Jeff Karabanow, a professor in the School of Social Work at Dalhousie University and a co-founder of the Out of the Cold emergency shelter, who noted that: "the resources put into this event yesterday could have easily, easily be put into finding some long-term solutions that could have supported, you know, a small number of people that are living rough right now."<sup>477</sup>

The public response to this police action can be seen in the number of people who signed a petition begun by the East Coast Prison Justice Society calling upon the Halifax Board of Police Commissioners to order an independent, civilian review of the Halifax Regional Police's actions on August 18, 2021, in coordination with any related reviews or investigations that may be ordered by HRM Regional Council.<sup>478</sup> As of the end of September, over 2500 people have signed the petition. Interest in this review indicates that many members of the public believe that more must be done to hold the police accountable, and that oversight bodies such as the Halifax Police Board need to take more active roles in promoting this accountability.





# **Appendix A:**

Recommendations

# Chapter 5:

## Reforms to Police Practices, Oversight, and Accountability

### Training

1. The Police Board should conduct a comprehensive independent review of all training programs delivered by the HRP and RCMP, with the aim of promoting transparency, accountability, and public confidence in the training police receive. At a minimum, this review should evaluate:
  - a. the effectiveness of training programs, both generally and specifically for officers with different years of experience;
  - b. the effectiveness of the annual “block” training model for the short- and long-term retention of knowledge and skills;
  - c. how decisions regarding training delivery are made, including:
    - i. which training programs are offered, when, for how many hours, and to how many officers;
    - ii. which training programs are optional or mandatory and why.

### Use of Force

2. The Police Board should conduct research and consultation with community members, subject matter experts, and other relevant stakeholders to examine opportunities for:
  - a. disarming certain groups of officers, such as community response officers; and
  - b. minimizing the use of firearms by police generally.
3. The Police Board must provide meaningful oversight of the HRP and RCMP’s use of special weapons teams, long guns, riot gear, and other militarized equipment. This will require the Board to take steps:
  - a. to improve transparency regarding the circumstances when such equipment is and can be used; and
  - b. to reduce its use as much as possible.
4. The Police Board should conduct a comprehensive review of all use of force techniques currently employed by the HRP and RCMP with an eye toward establishing policies intended to minimize all types of use of force incidents.
5. The Police Board’s review should examine opportunities for improving how the HRP and RCMP track and publicly report on use of force incidents. This aspect of the review should be informed by recommendations 3.1 and 3.2 of the Wortley Report, which recommended that a permanent data collection system be created to record information — including disaggregated race-based data — on all stops of civilians by police, as well as the CCJA Report, which identified the troubling lack of standardization across Canada in terms of how police collect and report data on use of force incidents.

## Openness and Transparency

- 6.** The Police Board should direct the HRP to immediately make their policies and procedures publicly available online, as well as any standing orders or other directives that have superseded policies that are out of date. The Police Board should make the same recommendation to the RCMP.
- 7.** Where policies and procedures are deemed to be confidential, the Police Board must ensure that the HRP or RCMP provide a publicly available explanation for each exempted section. These explanations must comply with the exemptions from disclosure provisions under section 475 of the Municipal Government Act, SNS 1998, c 18.

## Oversight and Governance

- 8.** The Police Board must exercise its policy-making authority to implement policies that govern HRP, not just the Board itself, in keeping with the Board's powers and statutory duties under section 55 of the Police Act.
- 9.** The Police Board should play an active role in the HRP's ongoing policy review. In doing so, the Board should consult with community members, subject matter experts (including legal experts), and other relevant stakeholders as part of a broadly public process.

## Police Complaints Process

- 10.** In keeping with Recommendation 4.11 of the Wortley Report, the Police Board, in cooperation with Regional Council and representatives from the provincial government, including from the Department of Justice and the Human Rights Commission, should establish a committee to study the integrity of the current police complaints process. The results of this committee's study should inform the review of the Nova Scotia Police Act recommended later on in this report.
- 11.** If Regional Council's review of the integrated HRP-RCMP policing model recommends keeping the RCMP in place, then the Police Board and Regional Council should advocate for the provincial government to establish a federal-provincial agreement to subject RCMP members in the province to the complaints procedure under Nova Scotia's Police Act.

## Body Cameras

- 12.** The Police Board should reject any additional funding requests in relation to body-worn cameras from the HRP or RCMP.

## Review of Nova Scotia's Police Act

- 13.** The Police Board and Regional Council should advocate for the provincial government to establish a special legislative committee dedicated to reforming the Police Act.

## Chapter 6: Detasking

- 14.** Regional Council’s “Alternatives to Policing” review should include a major analysis regarding possible opportunities to either partially or fully detask:
- a.** responding to incidents involving unhoused persons;
  - b.** responding to incidents involving young persons;
  - c.** responding to incidents of gender-based and intimate-partner violence;
  - d.** responding to overdoses; and
  - e.** responding to noise complaints.

### Mental Health Crisis Response

- 15.** Regional Council, in cooperation with the Police Board and the provincial government, to the extent necessary, should revise the Mental Health Mobile Crisis team model to ensure that mental health crisis calls are generally diverted to civilian-only teams. This model should also be explored for other social- or health-based emergency calls.

### Traffic Enforcement and Traffic Safety

- 16.** Regional Council should increase funding towards traffic-calming and safer-street infrastructure to reduce speeding and unsafe driving across the municipality;
- 17.** Regional Council should continue to develop its active transportation network, as well as its transit rollout, to reduce the number of cars on the road;
- 18.** Regional Council should improve street lighting on sidewalks and in residential neighbourhoods, as well as pedestrian infrastructure at crosswalks and other high-use traffic areas, to improve pedestrian safety in the municipality.
- 19.** The Police Board, together with Regional Council, should advocate for the provincial government, through a legislative amendment or the drafting of regulations, to:
- a.** reduce the speed limit in residential districts to 40 kilometres per hour; and
  - b.** grant Regional Council greater ability to set speed limits within the municipality without the need for case-by-case approval from the Provincial Traffic Authority or the Minister of Transportation and Infrastructure Renewal.
- 20.** Regional Council should direct that its “Alternatives to Policing” review include an analysis of opportunities to civilianize the enforcement of motor vehicle offences and traffic-related bylaws, as well as the response to collisions where appropriate, within the municipality;

- 21.** Regional Council should direct that its “Alternatives to Policing” review consider opportunities to develop:
- a.** a civilian unit within bylaw enforcement to direct traffic at parades, protests, and other street closures, and/or
  - b.** a training program for volunteers to provide a similar service in certain circumstances.
- 22.** As a prerequisite for the development of civilianized traffic control teams, the Police Board, together with Regional Council, should advocate for the provincial government to:
- a.** permit civilian traffic control persons to direct the movement of traffic for special events through a legislative amendment or the drafting of regulations; and
  - b.** update the province’s training and accreditation processes accordingly.
- 23.** Regional Council should direct that its “Alternatives to Policing” review explore options for automating parts of its traffic enforcement infrastructure, including through the use of speed and red light cameras. This review must examine opportunities for housing these automation systems outside of police services and establishing mechanisms for oversight to ensure traffic laws are enforced equitably and in a manner that is consistent with protection of privacy legislation.
- 24.** As a prerequisite for the development of automated traffic enforcement infrastructure, the Police Board, together with Regional Council, should advocate for the provincial government to proclaim the Traffic Safety Act, which is intended to replace the Motor Vehicle Act, RSNS 1989, c 293, in order to permit motor vehicle offence tickets to be issued to the registered owner, and not just the driver, of a vehicle.

## Third Party Sexual Assault Reporting

- 25.** Regional Council should direct that its “Alternatives to Policing” review consider the development of a third-party sexual assault reporting program, either specifically in the municipality or in cooperation with the provincial government. This aspect of the review should be conducted in consultation with, and build off the ongoing work of, HSART, SASNS, the HRM’s UN Women Safe Cities Safe Public Spaces Programme, and Women’s Advisory Committee. Such consultation is necessary to ensure that any TRP program ultimately developed is accessible, trauma-informed, and culturally competent.
- 26.** Regional Council should examine opportunities to remedy funding gaps (including gaps in operational funding) in sexual assault prevention and response services in the municipality through the creation of a grant program.

## Chapter 7: Social Reforms

### Decriminalization

- 27.** As part of its ongoing efforts to develop a municipal drug and alcohol strategy, Regional Council should convene a multi-sector working group to advise on developing a health- and social equity-based approach

to decriminalization, as a step toward requesting an exemption under the CDSA for the possession of all drugs for personal use in HRM.

## Addressing Funding Gaps for Non-Profit Service Providers

- 28.** Regional Council should establish a grant program for registered non-profit or charitable organizations in order to promote access to mental health and substance use services for Haligonians, with a particular focus on:
- a.** programs and services intended to address “gaps” in existing services by:
    - i.** bridging the wait times between an initial intake appointment and actual treatment; and
    - ii.** providing support to individuals who have been “discharged” from provincial treatment but are still in need of services; and
  - b.** culturally and socially appropriate services for African Nova Scotians, Indigenous communities, and 2SLGBTQIA+ communities.

## A Human Rights-Based Approach to Housing Policy

- 29.** Regional Council must ensure that a human rights-based approach informs:
- a.** its Affordable Housing Work Plan, as well as any subsequent strategies or business plans to guide the municipality’s approach to affordable housing going forward; and
  - b.** the long-term strategy to guide the municipality’s response to homelessness that will be developed in the 2021-22 fiscal year.

## Support for Increasing the Stock of Affordable Housing

- 30.** Regional Council must significantly increase its annual financial investment in affordable housing projects in the municipality so as to align its spending with other peer municipalities in Atlantic Canada, including by:
- a.** expanding the Affordable Housing Grant Program with the aim of distributing at least \$1,000,000 to registered non-profit or charitable organizations annually by fiscal 2022/23. Regional Council should also consider relaxing the eligibility criteria for the program to permit non-profits to apply for funds to cover the cost of building maintenance, as well as staffing for supportive housing programs;
  - b.** matching provincial and private contributions to Housing First in HRM, so as to increase the number of vulnerable and chronically homeless people the program can support;
  - c.** in light of the fact that much of the federal funding available for affordable housing fails to meet measures of “deep” affordability, focusing municipal efforts on projects that aim to expand access to:
    - i.** supportive housing programs;

- ii. second-stage and transition housing;
  - iii. rent-geared-to-income housing options;
  - iv. co-operative housing; and
- d. increasing the municipality's capacity in regard to affordable housing service delivery, including by:
- i. hiring additional staff and restructuring existing departments; and
  - ii. exploring options for creating an arm's-length, third party entity, similar to the Halifax Partnership, that can directly engage in the construction and management of affordable housing projects.

## Assessment of the Annual HRP Budget Request

- 31.** The Police Board and Regional Council should aim to bring per capita spending on the HRP more closely in line with cities of comparable size and population across Canada, such as London, Ontario (especially in light of rising costs associated with the Halifax District RCMP).
- 32.** The Police Board should exercise its full statutory authority in respect of funding, governance, and oversight to drive reforms to policing in HRM.
- 33.** The Police Board and Regional Council should:
- a. identify performance metrics for the HRP and RCMP, which should be informed by the recommendations of this report, the Wortley Report, Regional Council's upcoming policing reviews, and further community consultation; and
  - b. tie their approval of at least some portion of the annual police budget request to the achievement of these metrics.

## Improving and Expanding Participatory Budgeting

- 34.** Regional Council should ensure that funds diverted from the police budget going forward are redistributed through participatory budgeting processes. Such processes could occur at multiple different "levels," including:
- a. geographic area (e.g., district-level, a combination of districts, or the entire municipality);
  - b. subject matter area (e.g., mental health and substance use, traffic safety, affordable housing);
  - c. community-specific (e.g., African Nova Scotians, Indigenous communities, and 2SLGBTQIA+ communities); and
  - d. any combination of the above.
- 35.** Regional Council should direct that a new policy be drafted, which empowers and supports community members to design and convene participatory budgeting processes on their own terms.
- 36.** Regional Council should explore opportunities to expand the use of participatory budgeting, as well as other enhanced public participation methods, as part of its annual Budget Committee process.



# Appendix B:

Public Engagement Session  
June 19, 2021



## Peggy Smith and Grant Birdman

- Council has the power to make the changes needed and take action and move forward. Council has to realize that the buck stops with them and that they cannot put the blame on the provincial or federal government. Council controls the budget and the budget influences the police.
- There is not enough control over the RCMP. Council and the Police Board do not train or set the rules that the RCMP follow. They do not police the RCMP. The RCMP is not transparent and accountable to HRM. They take our money and spin and avoid the truth on our nickel. To regain public trust, it's time to defund the RCMP in HRM and to have the HRM police respond to the full HRM.
- The police are not a military and the people are not the enemy. Maybe we should defund some of the militarization against the people. It is time to get back to policing and stop the Rambo attitude. There is no room for racism, sexism or homophobic in the force. Let's get back to basics and treating all people fairly and justly.

## Martha Paynter, Chair, Wellness Within: An Organization for Health and Justice

- We need to change how we think about what security means. We hope this committee will develop a proposal that is responsive to the needs of this community. What this community needs is housing above all else and initiatives including spaces for safe use of substances, safe supplies of substances, restorative justice, transformative justice approaches and health care, and peer support responding to mental health crises. Not to mention care and resources to prevent mental health crises in the first place.
- We have called for years for HRP to apply a gender lens to arrest: to not arrest mothers in front of their children; to allow mothers to have child care arrangements before they are brought to lock up; to prevent breastfeeding people from being held in lock up; to not charge people with bail violations if they are a victim of domestic abuse; to have consciousness of how women gender diverse and trans gender people see the world.
- We see that the police have a lack of understanding of the impact of gender in the lives of women, girls, gender diverse and trans gender people. Police in Halifax and Nova Scotia ignore violence against women, commit violence against women, and mishandle charges of sexual violence against women.

## Carmel Farahbakhsh, Executive Director, The Youth Project

- In a recent article from CBC, we hear that sexual assaults reports are up nationwide coinciding with the Me Too movement. But the number of people charged has not increased. So there's a myth that when we have an up surge of reports relating to sexual violence, that there will also be a rise in conviction. Queer and trans youth understand that reporting is not an option for them because they feel that they will not be believed and their cases won't be understood within the legal system.
- Our youth have asked for funded food justice and housing programs and funding to the community organizations that have already been doing this work. They have asked for official and funded training for communities like deescalation training. To clarify, this is not for the police. This is for youth themselves to

learn how to respond to their peers. In the context of a mobile crisis, we know there is police involvement. That is completely unacceptable and a huge barrier to our youth for that resource.

- Youth have asked for well funded trauma-informed harm reduction services for substance users, warm accessible spaces with electricity and Wi-fi like indoor bus shelters and less hostile architecture. They have asked for 24 hours accessible public washrooms with lighting and sharp containers, and neighbourhood features like crosswalks, better public transit options, and community rec centers accessible for all. They have asked for universal basic income, community lockers to keep their belongings for those who don't have access to housing options, and longer term funding options for grassroots organization and nonprofits.

## Dan Shriver

- In terms of training, there has to be a higher emphasis on deescalation as well as non-lethal and less lethal forms of intervention. Police should be separated into armed and unarmed response divisions with armed personnel responding to only situations that require it. If I call the police and say my house has been broken into, nobody is here any more, why do i need folks with guns showing up to my house.
- On a more societal level, addiction should not equal incarceration. A close friend of mine works with corrections, and especially through COVID-19 that was put to the test. Lots of drug offenders were told you don't need to be in a cell, go home, we'll monitor you, and it worked fine. There wasn't a huge increase in violence or drug related crimes in these communities. This was a good solution.
- One of the biggest problems right now is with communication. Take for example, the groups saying all cops are bad, the abolish the police folks. On the other end is the group saying policing is fine, there is nothing wrong, don't change anything. The answer is somewhere in between. Both of these schools are wrong and naive. What needs to happen is a patient, middle of the road, open minded approach.

## Matt David

- If we assume that defunding had public support, we still need to do the requisite research to determine if defunding is the best option compared to others, such as not defunding or increasing the police budget so that police can receive more training. I've yet to see studies or research that show that defunding is the best option.
- I do not know why the committee believes increasing funds for community support is only achievable if the funding is taken from the police budget. Why can this only be done by defunding the police. The two services are not mutually exclusive. We can fund police and sobering centers, but the committee assumes this can only be done if funds are taken from the police budget.
- We cannot afford to get this wrong. Public safety is not an experiment. The committee talks about the communities impacted by policing, but when it comes to public safety, every community is an impacted community. It may very well be that some communities are affected disproportionately, but this doesn't mean that defunding the police is the solution that will do the most good for the most people. In fact, there is no guarantee that defunding will even do the most good for the most marginalized communities considering they are often mostly affected by crime.

## Judy Haiven, Equity Watch

- Today, I'm going to talk to you about hate crimes and hate expression. This comes up a number of times in policing and crown work and what is going on in the province about hate against identifiable people, whether or not it is against BIPOC or racial minorities or disabled people.
- In Windsor, NS, two brothers burned a cross on a bi-racial family's front lawn. The crown in those days made a huge effort to figure out how to get permission to lay a charge of a hate crime. The crown said it was the first time a cross burning had been recognized as a hate crime in Canada. In 2018, a middle aged man shot a nail gun into a young Black co-worker's back near New Glasgow. There were calls for this to be upgraded to a hate crime because there was evidence that before the incident there were hateful names that the white man slung at the injured man, but it was resisted and there was no hate crime label attached. In 2018, a Dalhousie professional was with his 6 month old daughter on a stroller on a city bus. We know from reports that a mother and her grown son made comments like "shut the fuck up" and racist remarks. The professor asked for the crown to consider it a hate crime because many people, people of colour who get on buses or public transit receive threats and harassment but it didn't happen.
- What we should learn about this, is that the police never thought and never wanted it to be a hate crime. Frankly, it shows that our government, the police, and the crown don't take these racial affronts seriously.
- 

## Kate MacDonald

- Taking away some police budget and investing into community and appropriate ways of caring for each other would change the overall wellness that we talk about prioritizing within our communities.
- Look at Black and Indigenous children who can't be safe and might die because a cop doesn't understand them. When we wash our hands in Halifax of police brutality at large it is irresponsible. We have a long history of questionable police conduct here. Street checks were banned; there was a moratorium on them a couple years ago. And we saw an increase in police violence, didn't see police violence decrease in any capacity.
- The defund movement is saying that 90 million dollars is lots of money and people are sleeping in tents and hungry and in terrible housing and living in food deserts. We could educate and put money into education, transit and lots of things that need attention in the city. 90 million dollars could be shared amongst other community initiatives.

## Ashley Avery and Bria Symonds, Coverdale Courtwork Society

- At the beginning of the pandemic, Coverdale joined with other organizations and opened a transitional housing project which aimed to decarcerate the provincial jail. The pandemic created a policy window which recognized prisons and jails as high risk and dangerous for potential infection and suddenly the release of people from custody was a matter of health trumping prior notions of public safety. Crime did not increase but over 41% of the jail population was reduced. That program was eventually defunded.
- One of the women involved in that program died while in a mental health crisis one month later. her neighbour called the mental health mobile crisis TEAM twice that night to come. her neighbour tried to help

her by using the only resource that was available and unfortunately that didn't save her life. 4 months after she died, Coverdale secured funds for 6 beds for women who would otherwise be in jail. Since it's opening it has been full. The success stories are profound again. It offers an alternative to jail and prevents unnecessary police interactions, breaches of court orders, not having an address, and stealing food to feed themselves and missing court because they sleep outside and use substances when they have addictions issues. This place works but when the temporary funding ends, it will be forced to close.

- Defunding the police has caused a lot of public confusion and has been the site of debate. The same frustration is never present when community organizations are defunded, which happens daily. Our systems of punishment are funded but alternatives and support services are not. It creates an unfair system and prioritizes harm over healing and ensures the continued oppression of our most vulnerable communities.

## Jacob Wilson

- Much like the social determinants of health--factors like food, housing, and general economic insecurity--have negative impacts on health and wellbeing, socio economic factors often push people into contact with the police and into criminalization. This is only made worse by the frequent use of police as frontline responders to mental health crises or to our neighbours who are struggling with substance abuse issues. The underfunding of services in our communities, precarious housing situations, the crumbling public health infrastructure all lead people into situations which can cause these issues and, likewise, push people into contact and conflict with the police.
- As a former shelter worker, when police arrived, it was invariably a negative experience. Police presence was often problematic in and of itself. Staff were repeatedly pressured to break shelter policy and disclose information about guests and their locations, even after explaining our policies to officers. When we moved into a hotel, police would violate our policies and public health orders and enter the shelter and refuse to leave.
- Within living memory, paramedic and ambulance services across North America were the responsibility of police services, and that was a bad idea. We collectively decided that trained medical staff would be better positioned to help our communities. Likewise, police should not be attending to mental health crises. They're not trained for it, and no amount of provisional courses or reforms will help that matter.

## Ron Renz

- I think conflicts occur over what choices we make in how to best serve our own needs. When we can start by recognizing that the needs that we are trying to meet are universal human needs, they're the very life of life itself. We're now moving from a world of domination and attempts to control one another to one of cooperation and collaboration. Keeping the peace is everyone's responsibility.
- For over 10 years I have been studying and practicing compassionate communication and the best resource I have found to date is this compassion course. developed by tom bond of new york city. This year for the first time a group of police officers will be working together and have their own discussion group to increase their understanding and use of the principles of nonviolent communication that are the foundation of the compassion course. I'm offering an example today of one of the many possible strategies to support a shift in

view: one action that can help to define defunding the police.

## Kathrin Winkler

- Colonial institutions such as policing grew out of roots of racism. The job of the Mounties was to clear the plains and the prairies of Indigenous people and to displace Indigenous people. The Mounties' jobs were to move them on to reserves, whether they were willing to or not.
- In every step of the way, our growing understanding of colonization, decolonization, and the histories that nurture our policing policies in the present must be included. Colonial systems influence how we are governed, how we are surveyed, and the concepts of protection are harbored in outdated and toxic systems.
- I believe our security lies in the fight for the rights of all. Our security isn't guaranteed by having police on the streets but instead when every human is taken care of with a home, food, water, job, and social programs. When you have a police force that is based in misogynist, patriarchy, and harm, doing harm and militarization, it just flows into that kind of an ancient fossilized view of what relationships are.

## Bryan LeBlanc

- My main point is I believe that the police force is over extended in the variety of calls that they get. It is akin to maybe a construction site where there is a plumber but yet he is doing the electrical work and the architecture and the engineering. He has to wear so many hats, and I don't believe that in their training and education they have that ability to be that good at so many different things. It took me four years to become a geologist just to identify a rock, but yet you can get a badge and a gun after a year or however long it takes to become a police officer.
- While I was in New Zealand, I witnessed my favourite type of police force. They didn't have guns, and when there is a domestic dispute there is a plain car that arrives people that show up, they are social workers, they're not police officers. They don't have bullet proof vests on or tasers or guns or billy bats. And they go to deescalate the situation.
- I am a white man. I understand that I have had certain legs up in my life, but when I see a police officer, I get anxious. I am almost scared that I have done something illegal. But, like, when I see a police officer, I am almost, did I rob a bank? And I don't think that that's the role that they should have. They shouldn't have that feeling.

## Jamie Livingston, Associate Professor of Criminology, St. Mary's University

- Police-involved crisis response models don't work for people who have had previous negative interactions with the police or belong to communities that have had long histories of mistreatment by and fatal interactions with the police. We know that this disproportionately involves people who are Black, Indigenous, and belong to other racialized groups. It also involves or includes people living in poverty, people who are homeless, immigrants, people who use drugs, people who are involved in sex work and those with active or previous criminal justice involvement. Such people may be fearful or distrusting of the

police and less likely to call for help if the police are involved, and if they do call for help, they are more likely to experience adverse interactions.

- Non-police involved models respond to a mental health crisis as a health problem, not as a policing problem. They depend on trained peer support workers and mental health practitioners, not police officers. These models have existed for decades like CAHOOTS in Oregon. Other models have been around a few months or years like the models implemented in Toronto and New York City. They are led by and grounded in the community which contributes towards achieving broader social goals like reducing systemic racism, colonial violence, and the stigma associated with mental health issues. Making non-police involved emergency response options available to people who are experiencing or witnessing a drug overdose is especially urgent in the context of our increasingly toxic drug supply and the growing number of people dying from illicit drug poisonings.
- The social determinants of crimes are similar to the social determinants in health, so what causes crime is often socially and structurally rooted in inequities. That's in relation to housing, income, employment, education, and all of those things that can create better or worse health and also contribute to whether or not peoples' pathways involve crime. If you address those social determinants of crime, it's well suited in relation to seeing reductions of crime. Societies that have more social equity and where the social welfare system is really well developed you see less crime and violence.

## Campbell McClintock, Out of the Cold

- There appears to be a theme of when there are police interactions the police tend to be looking for suspicious or criminal activity, which sort of doubles the vulnerability experience for folks. I think one of the most challenging things that happens is that when somebody is -- when with a vulnerable person is approached by a police officer, very rarely are they asked questions about whatever might be going on or engaged in a sincere way where that person might have the opportunity to share their side of the story or talk about what's going on. They're very criminalized almost from a distance. Believe it or not, people experiencing homelessness still have curfews. People get picked up and put in jail overnight for being out after curfew, even if they don't have a home.
- When they're living in precarious situations, what people essentially need in their life is support. Support from the public resources that are available. Folks have voiced that if there were money to be taken away from HRP they would prefer it to go towards housing support because there is a very clear need for it. It's making their experience of life so much harder that they have to worry about any time they see a police car that they're going to be given a hard time.
- In my experience at the shelter, it's very common for police to feel like they can come on to our property, that they can park their cars in front of our property, and that they have even tried to come in the front door without direct permission, which is not legal without them having a warrant for the building. We know that this is something that police officers expect because at other shelters in town that aren't Out of the Cold, there is more of a collaborative relationship with police that allows them to come into the building and perhaps pick somebody up who might not even be doing anything.

## Erin Aucoin

- The way that our society is set up today is so that we react to crime with punishment, but we do very little to prevent crime. I would argue that policing does not serve as an effective deterrent to crime. Our city is extensively policed and crime still occurs. No one wants to commit crime, but many people are forced to because we have failed them as a society. The key to reducing crime is not through the work of the police department. A lot of the talk about reforming police services focuses on changing the culture of the police department and attitudes of police officers. This is not enough. This system cannot be fixed by putting on a couple of classes or asking officers to attend a course.
- The key to reducing crime is by addressing the roots of the problem, not by sending police in after the fact. We need to consider that social services and social safety nets that help our most vulnerable are essential to creating a better, safer community for everybody. Reducing poverty is the absolute number one thing that needs to be done to reduce crime. Every study on the subject has shown that socio-economic status is the number one factor correlated to crime.
- RAIN, the rape abuse and incest national network, estimate that only 310 out of 1,000 sexual assaults are reported to police and the reasons for not reporting, 2% of victims believe that the police could not help them, and 13% believe that the police would not help them. HRP currently has a victim services unit and there is a sexual assault nurse examiner program, but we need a third-party reporting program that is separate from the police and offers resources to all victims of crime. Without third party reporting we have no idea how effective police are because we don't have accurate crime statistics.

## Shila LeBlanc, Founder, Restorative Approach

- I have personally facilitated 84 restorative justice conversations between victims and offenders, and I am here today because defunding the police is the only reasonable, respectable, and dignified way forward for our community. People who cause harm are usually facing a bad combination of pressure points like mental health issues, poverty, addiction, homelessness, abusive partners, cultural and language barriers, financial precariousness, unhealed trauma, discrimination, and so on. When these people are given the chance to be accountable and make amends for the harm that they caused, they rise to this challenge. This is reflected in the 90% success rate seen in youth and adults participating in our restorative justice program.
- The greatest most important thing we can do is realize the difference between proactive and reactive spending. As much as people argue that we do need the police, one key piece is always missing in this argument. Police arrive only and always after something bad has already taken place. Even if you are sitting here today and don't care about others and aren't interested in the ethical debate, the truth is that we are making bad financial investments. It costs, for example, \$121,000 per person per year in a jail cell, but only around \$30,000 a year to provide housing and mental health supports, and that's the 2016 figure. We must demand accountability from an organization getting 15% of our taxpayers Dollars. When we look at the budgets for libraries, parks and recreation, and transit combined, those services see only 22%.
- In terms of the proactive pieces, the biggest piece I see right now is decriminalization of drug use and sex work. It is insanity at this point to invest in the criminalization of people who are addicted and unwell. Decriminalizing also means getting rid of outrageous fines for by-law infractions which the rich can afford

but has huge consequences for people in poverty. Loitering, fare evasion, sleeping in public, public urination, public intoxication, and solicitation are all fines that have a disproportionate impact on people in poverty. We must recognize these behaviors are symptoms of deeper problems and offer the care that people need through harm reduction and trauma informed services.

## Sakura Saunders

- I'm going to focus most of my presentation on the policing of protest because that's where I have encountered the police mostly. I have never been beat up by anyone in my life, except for a police officer. I have been beat up, thrown around by my neck, had my head slammed against the back of a police car, I have been pepper sprayed in the eyes, and I have been tear gassed. I have had my arms grabbed and thrown against walls by police. It's as if social justice activists are also treated as criminals a lot of the time with the aggression that we face. It has traumatized me to a certain extent, my experiences with the police and also police surveillance.
- One of my first experiences shortly after moving to Halifax was the first Mayday that I got to participate in. Because of the weather I was actually in my car because I had a young 1 and a half-year-old child with me. and I was just watching things as they happened. What I saw was, people were in the streets. We were going to bus stop theatre to get DeeDee's ice cream, and the police came up and ran -- literally ran out of their cars and just started pushing people to the street. Physically. This was a crowd that had kids in strollers, I was shocked. The police came in and escalated the situation and people were upset and then they started to threaten the crowd with pepper spray, again, this is a crowd that had children in it. Then they arrested people for causing a disturbance.
- During the Wet'suwet'en protests, I remember there was a police officer that came to one of the protests and literally drove up towards the protestors, like, not stopping for people, driving into the crowd. The Mi'kmaq grandmother that was there saw the police car moving towards the youth and got in front of them and the police car went forward until it knocked into the Mi'kmaq grandmother.





# Appendix C:

NPF Submission

**NATIONAL  
POLICE  
FEDERATION**



**FÉDÉRATION  
DE LA POLICE  
NATIONALE**

**BRIEFING NOTE TO THE HALIFAX BOARD OF POLICE COMMISSIONERS  
SUBCOMMITTEE TO DEFINE DEFUNDING THE POLICE**

**TO:** El Jones, Chair, Board of Police Commissioners - Subcommittee to Define Defunding the Police  
**FROM:** Brian Sauvé, President, National Police Federation  
**DATE:** June 29, 2021  
**RE: STUDY TO DEFINE DEFUNDING THE POLICE**

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**INTRODUCTION AND CONTEXT**

The National Police Federation (NPF) welcomes the opportunity to provide feedback on the study on the definition of defunding the police, conducted by the Halifax Board of Police Commissioners - Subcommittee to Define Defunding the Police.

The NPF is the sole certified bargaining agent representing about 20,000 Members of the Royal Canadian Mounted Police (RCMP) across Canada and, including about 970 RCMP Members in Nova Scotia. The NPF provides strong, fair, and progressive representation to promote and enhance the rights of RCMP Members.

There are 55 RCMP detachments, serving 40 municipalities and 13 First Nation communities across the Province<sup>i</sup>, serving Nova Scotians at the provincial, municipal, and federal levels through over 145,000 calls for service annually.

The NPF supports efforts by all levels of government to consider ways to better deliver police services in Canada, and we welcome the opportunity to provide our input. Our Members enter policing because they want to make a positive difference in the communities they serve. They participate in anti-drug initiatives, youth education against gangs, anti-bullying programs; they volunteer to coach sports teams and raise funds and supplies for local food banks and shelters; among other initiatives. Our Members have all signed contracts with Canadians to protect their lives and rights – even at the expense of their own.

On July 9, 2020, a staff motion at the Board of Police Commissioners proposed a definition of defunding the police that supports a role for policing that includes:

- Police performing policing functions;
- Appropriate resources to perform non-police functions;
- Investment in resources that have been proven to support community risks and promote crime prevention.

The NPF supports, in principle, the above definition of “defunding” – it is not about removing funds from police and public safety, but about refunding much needed social services. Over the past year the NPF has been advocating to all levels of government on the importance of properly funded social services and the

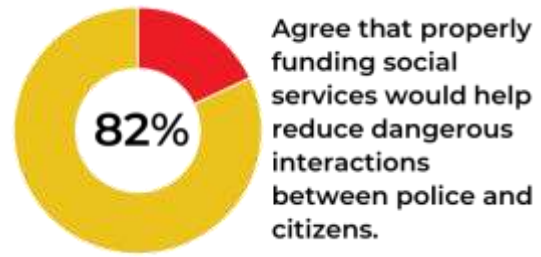
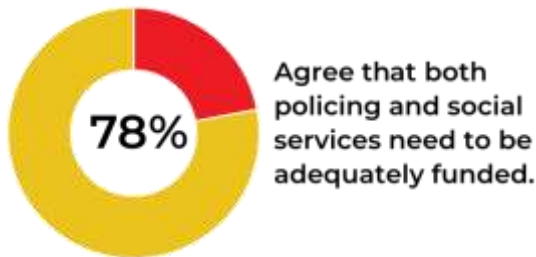
need for adequate mental health supports for all Canadians. Communities deserve to have properly funded social and public safety services and to that end, all governments must work together to guarantee that enough funding is being allocated for both current and future needs.

## PROPERLY FUNDING SUPPORTS FOR SOCIAL SERVICES

Increasingly, police officers are asked to carry too heavy a load due to dwindling resources, and growing demand. Canadians, and our Members, want to see more funding for much needed critical services that help alleviate pressures on vulnerable Canadians and, by extension, the police. All governments must do more to ensure that all communities have the front-line public safety and social services needed to help Canadians lead happy, healthy lives.

For too long, our Members have been called on to fill the gaps in the absence of properly funded mental health and social services. While at the same time, RCMP detachments, are underfunded across the country. Our Members are consistently told to “do more with less”, when they are already overworked, overstressed, and under-rested.

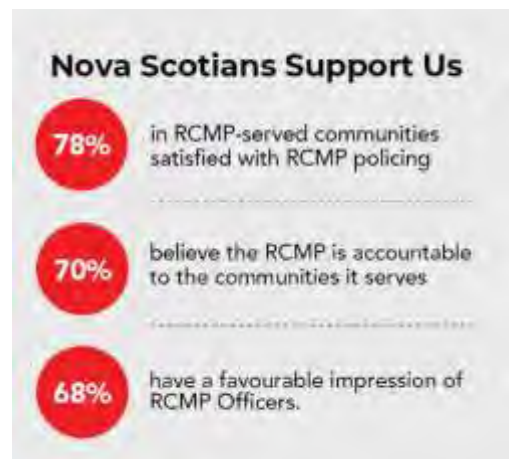
Between June 17th and 22nd, 2020, Pollara Strategic Insights conducted a survey for the NPF that shows that Canadians agree that properly funding social services would significantly help alleviate thousands of potentially dangerous interactions between police and citizens every day. In that same survey, the majority agreed that both policing and social services need to be adequately funded.



Nova Scotians, and all Canadians, support their local RCMP and do not want to see police budgets defunded. They want adequately funded social services alongside police budgets that allow the RCMP to focus on their core mandate of upholding community safety.

In a more recent survey conducted by Pollara Strategic Insights in Nova Scotia (March 2021), the NPF confirmed what we heard across the country: 67% strongly agree that federal and provincial governments need to ensure policing levels are maintained at proper levels. NS RCMP Members are already under resourced and underfunded. However, at the same time, their mandate continues to expand. Removing funds from policing would only decrease both officer and public safety.

That is why the NPF has been constantly advocating on the importance to properly fund not only social services, but also policing and public safety. Conversations around this issue

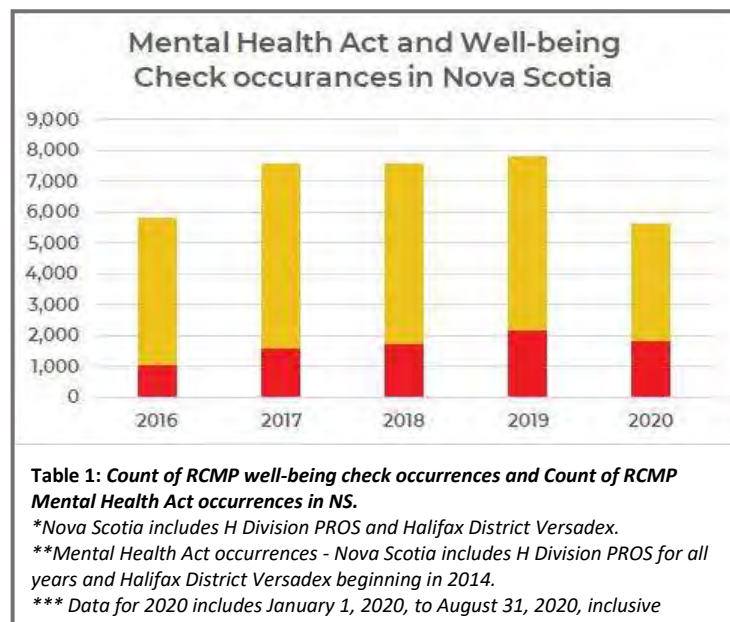


should not be about “defunding” the police, but rather on how governments can provide adequate human and financial resources to address policing and social services’ challenges.

## POLICING OF PEOPLE WITH MENTAL ILLNESS

Police calls responding to someone in crisis and/or with mental illness, are not always routine and can vary in complexity. Our Members are encouraged to focus on protecting those involved and at risk through crisis intervention, de-escalation, and avoiding use-of-force in these situations.

In the 2014 *Report on Police Encounters with People in Crisis* it is noted that improved responses to people in crisis would involve learning how to prevent people in crisis encountering or requiring the police<sup>ii</sup>. For example, better referral options to the community could divert individuals to treatment and support and avoid ‘crisis encounters’. Across Canada, many provinces and cities have adopted Mental Health Mobile Crisis Response Teams, in which police officers collaborate with community partners, including mental health providers, to de-escalate and safely intervene in crisis situations; link individuals to mental health services, and, when appropriate, divert them from the criminal justice system. These teams have successfully provided much needed support within communities and the ongoing success and expansion of these programs relies on increased provincial and municipal government support and funding, as mental health calls increase year over year (see Table 1<sup>iii</sup>).



In Nova Scotia, from 2014 to 2019, the number of *Mental Health Act* occurrences has increased by almost 70% - from 3,339 to 5,674 calls. The count of RCMP well-being check occurrences has also increased by 80% between 2016 and 2020 (see Table 1).

A few years ago, a new tool called HealthIM came to market that helps to improve officer response to mental health crises. The Manitoba RCMP implemented the new resources and have been using it successfully with great results. Other provinces are in the early implementation phase of adoption or are taking a closer look at this new tool. This tool provides a mental health screen to help determine if someone is at risk of harming themselves

or others, and informs the officers’ decision on apprehension, a hospital visit or referral for community services. The HealthIM resource ensures police center on the person in crisis and helps determine a pathway that best supports their needs. Between July 2019 and June 2020, HealthIM was used 4,087 times, and in 28.5 per cent of cases, the person remained in the community and did not require hospitalization or other urgent interventions. In the same time period, Manitoba has seen a 57.5 per cent decrease in apprehension rates and a 68 per cent decrease in average hospital wait times<sup>iv</sup>. This enables officers to spend more time in the community doing pro-active police work, and less time transporting or waiting with individuals in hospital.

These initiatives, as well as increased investments, are fundamental to ensuring police officers and communities have the appropriate support and funding to navigate these mental health situations.

## CONCLUSION

The NPF would like to thank the members of the Halifax Board of Police Commissioners - Subcommittee to Define Defunding the Police, for the opportunity to provide comments to this study.

The NPF believes that recent and ongoing conversations, protests, and education around policing and public safety are an important expression of our shared desire and commitment to change. We will continue to work to find common ground and solutions that will ensure all Canadians feel equally and adequately protected and represented by the law and have access to properly funded social services.

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<sup>i</sup> RCMP in Nova Scotia. [online]. Available at: <https://www.rcmp-grc.gc.ca/en/ns/home>

<sup>ii</sup> 2000. *The Canadian Association of Chiefs of Police, A National Use of Force Framework*. [online] Available at: [https://www.cacp.ca/cacp-use-of-force-advisory-committee.html?asst\\_id=199](https://www.cacp.ca/cacp-use-of-force-advisory-committee.html?asst_id=199)

<sup>iii</sup> 2020. *RCMP Occurrence Report*. [online]. Available at :<https://www.rcmp-grc.gc.ca/transparenc/police-info-policiers/calls-appels/occurrence-incident-eng.htm>

<sup>iv</sup> 2020. *MANITOBA BOOSTS FUNDING FOR TECHNOLOGY TO IMPROVE RESPONSE TO PEOPLE IN MENTAL HEALTH CRISIS*. [online]. Available at: <https://news.gov.mb.ca/news/index.html?item=48599>



# Appendix D:

Data Provided by Halifax Regional Police

## Information Note

TO: Lindell Smith, Chair of the BoPC

FROM: Halifax Regional Police Chief Dan Kinsella

DATE: August 26, 2021

**SUBJECT: Requests for Data for the Defunding Committee**

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This Information Note was prepared in response to a request for information from Board of Police Commissioners Chair Lindell Smith on behalf of Harry Critchley in his role as part of the Defunding Committee.

The following three requests for information are addressed:

**Part One:** Total number of calls for service received by Halifax Regional Police in 2019, 2020 and 2021 year-to-date.

**Part Two:** HRP General Occurrence (GO) report data for February 17-24 in the years 2019, 2020 & 2021.

*Please note that in order to provide all of the information that has been requested and to accurately categorize every incident as requested would be highly resource intensive. These types of requests would ordinarily be immediately directed to our Access to Information process (see below). However, as an alternative, we have provided figures for those categories of offences that are reviewed monthly as part of our established operational support processes. They include offences that are categorized as person and property offences.*

**Part Three:** Total times HRP officers used their authority under section 496 of the Criminal Code in 2020.

Beyond the data provided, the specific information requested is not readily available to this office. For further information please refer to our Access to Information Office.

<https://www.halifax.ca/fire-police/police/programs-services/accessing-information>



## Part One: Calls for Service in 2020

The table below breaks down the total number of calls for service Halifax Regional Police received in the years (1) 2019, (2) 2020, and (3) 2021 to date - up to August 1.

Year	2019	2020	2021 YTD
<b>Total</b>	123,923	103,805	61,033

## Part Two: One Week's Worth of GO Data for 2019 & 2020

The table below breaks down the total number of calls for service Halifax Regional Police received for the period of February 17-24 in the years 2019, 2020, and 2021. It further identifies how many of those calls for service resulted in a GO report by an officer (a GO report summarizes the call for service and subsequent actions taken by police).

### *Calls for Service and GO Reports*

	Feb 17-24, 2019	Feb 17-24, 2020	Feb 17-24, 2021
Calls for service	2541	2629	2262
Calls for service which generated a GO report	1058	1040	1232

As explained in the cover note, the table below breaks down categories of offences for the period of February 17-24 in the years 2019, 2020, and 2021. These offences are what would be considered the most generally notable or high-profile crime types broken down into two overarching categories: (1) Person and (2) Property Offences.

### *Person & Property Offences*

	Feb 17-24, 2019	Feb 17-24, 2020	Feb 17-24, 2021
Break & Enter	9	3	13
Theft from Motor Vehicle	30	14	19
Theft of Motor Vehicle	8	4	4
Arson	2	1	0
<b>Total Property Offences</b>	<b>49</b>	<b>22</b>	<b>36</b>
Homicide	1	0	1
Attempt Homicide	0	1	0
Robbery	2	4	0
Weapons	4	2	0
Assaults (excluding level 1)	8	11	8
<b>Total Persons Offences</b>	<b>15</b>	<b>18</b>	<b>9</b>





## Part Three: Times HRP Officers Used their Authority Under Section 496 of the Criminal Code

Section 496 of the Criminal Code came into effect on December 18, 2019, and relates to administration of justice offences. Where a person is suspected of committing such an offence, section 496 allows a peace officer to issue an appearance notice to attend a Judicial Referral Hearing, as an alternative to laying charges.

In requesting the number of times that section 496 has been used, it is important to note that section 496 is a mechanism for bringing a person before the court, it is not an offence in itself. Therefore it is not the same as, for example, requesting the number of assaults which were reported in a year.

What we can provide readily are figures on the total number of files recorded by HRP in 2020 which included the more common types of administration of justice offences; Bail Violations, Breach of Probation, and Failure to Attend Court. To establish whether section 496 was used would require the reading of each file to determine the circumstances. Should the Committee wish to submit an Access to Information application, HRP can prepare an estimate of time and cost.

Offence Type	Number of HRP files in 2020
Bail Violations	1758
Breach of Probation	935
Fail to Attend Court	363
<b>Total</b>	<b>3056</b>

As additional context<sup>1</sup>, it is important to note that **the decision as to whether to seek a Judicial Referral Hearing ultimately rests with the Crown**. Whether a police officer decides to invoke section 496, or lay a charge, their decision may be reversed by the reviewing prosecutor. Should the Committee wish to request information regarding the number of Judicial Referral Hearings in 2020, they may wish to contact the Department of Justice and/or the Public Prosecution Service.

<sup>1</sup> For further information please see Director's Guidance on the Public Prosecution Service of Canada website, which provides a comprehensive overview of the introduction of judicial referral hearings under the enactment of Bill C-75 <https://www.ppsc-sppc.gc.ca/eng/pub/fpsd-sfpg/fps-sfp/tpd/p3/ch20.html>



# Endnotes

# Endnotes

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