Agenda - Winnipeg Police Advisory Board - November 19, 2009

REPORTS

Item No. 3 Aboriginal Perspectives on Policing in Winnipeg
eFile GF-2.2

The Executive Director of the Winnipeg Police Advisory Board is submitting a review of the discussion group held on October 22, 2009 with Mr. Damon Johnson, President Aboriginal Council of Winnipeg and Ms. Merle Green, Executive Director Mother of Red Nations Women's Council of Manitoba, regarding Aboriginal Perspectives on Policing in Winnipeg.

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DECISION MAKING HISTORY:

On November 5, 2009, the matter was laid over to the meeting on November 19, 2009, due to a lack of quorum.

Winnipeg Police Advisory Board
Aboriginal Perspectives on Policing
October 22nd, 2009

At this regularly scheduled Board meeting the Board invited speakers from local Aboriginal organizations to provide their perspectives on policing issues affecting First Nations, Aboriginal, Métis and Inuit citizens. Presentations were made by representatives from the Aboriginal Council of Winnipeg and the Mothers of Red Nations organization. A general discussion followed.

1. PRESENTATION:

Mr. Damon Johnston, President
Aboriginal Council of Winnipeg (ACW)

- Prior to his current position Mr. Johnston worked in Ontario in various positions in Corrections, and in Manitoba for the City of Winnipeg in the human resources area, including employment equity
- The Aboriginal Council of Winnipeg is the only urban aboriginal advocacy body in Canada funded through a Memorandum of Understanding by the federal and provincial governments. The City of Winnipeg is represented at this table by James Allum of the CAO's office

The root cause of the over representation of Aboriginal persons in the criminal justice system in Winnipeg and Canada primarily emanates from the segregation of First Nations on Reserves by Canadian legislation known as the Indian Act 1876 which has been described by the Canadian Human Rights Foundation as legalized racism

- The vast majority of "Indians" did not get the right to vote until 1951
- There is on average a much higher degree of aboriginal cultural loss in eastern Canada compared to Western Canada where cultures and languages are much more intact.
- Although racism is a Canadian reality much of the prejudice and discrimination directed at Aboriginal Peoples is rooted in ignorance and guilt
- Identity data is not tracked by Corrections Canada or Manitoba Corrections but we suspect that the majority of inmates in federal and provincial jails, penitentiaries, those on probation or parole are from the First Nations communities
- It is a major transition and challenge for people to move from the reserve to living in the city
    - Many are not prepared, lacking the education and skills to obtain employment
    - Systemic barriers exist, including language and racially-based bias

- Individuals and groups who do not possess the educational and experiential credentials to get better paying jobs will find other ways and means to survive in any environment- hence the appearance of Aboriginal gangs in cities and reserves
- The creation of community-led-and-developed culturally appropriate educational, social and economic institutions for First Nations, Metis and Inuit Peoples is fundamental to their positive human growth and development

Lack of leadership roles in the decision making process

- While recognized in principle, the applicability of self determination and self-government for Aboriginal Peoples in a city is yet to be determined
- Aboriginal Peoples need to be visible in all mainstream institutions and governance structures
- The city's architectural landmarks should reflect a higher number of buildings and other infrastructure over time that are of First Nations, Metis and Inuit historical constructs
- A critical mass of aboriginal participation is needed in many areas
    - Promotion processes need to be examined to determine whether or not cultural bias is a factor that is inhibiting the rise of Aboriginals and minorities in any given organization
    - There are probably some Aboriginal WPS police officers who could assume senior leadership roles in the department

What can aboriginal people bring to the (governance) table?

- Most importantly, a different point of view on many important policy considerations
    - i.e. a peer system of justice has historic roots in aboriginal societies
    - Peer pressure is the most effective form of controlling anti-social behavior in any group or society – cities have made it difficult for people to relate to each other – the concrete jungle

Consistently we see the inability of people to learn from major incidents that highlight the need for major systemic reform

- The Royal Commission on Aboriginal Peoples, the Aboriginal Justice Inquiry in Manitoba and the Ipperwash Inquiry in Ontario are all examples of major research initiatives and investigations that made recommendations for systemic change and overhaul but that have been largely ignored by the non-Aboriginal controlled justice system in Canada primarily because maintenance of the status quo is of benefit to those who control the system

Most adults, including police are challenged in their relationships with youth – the generation gap – in the case of Aboriginal youth it is a huge cultural gap

- Police need more training on aboriginal issues
- When an aboriginal becomes a police officer, that individual may be viewed as having gone over to the other side – he/she may be seen as having swapped the eagle feather for a gun and adopted some of the negative aspects of police culture
- Racial profiling is a huge concern- many Aboriginal youth believe they are targeted for police interventions simply because of their color or appearance- many Aboriginal persons of all ages report being followed around when they go into a shopping mall or store as they are probably viewed as more likely to shoplift

There is a need to look at the School System

- An aboriginal school division is desirable, building on what already exists, with a First Nations, Metis and Inuit Board of Trustees
- This is not segregation, it is a right to practice and protect a cultural system whether on reserve or in an urban setting, akin to other cultural/language based systems i.e. Francophone School Division

Much needs to be done to enable positive change in the cultural, social and economic outcomes of urban Aboriginal Peoples

- There has been a steady deterioration in federal social policy for many years now..
    - All governments must learn to manage diversity – a failure to do so will result in serious social unrest and conflict, particularly in our cities
    - A holistic urban Aboriginal strategy with measureable cultural, social and economic outcomes is required to enable the healthy integration of First Nations, Metis and Inuit Peoples into city life
    - Governments must understand that short term initiatives will not work..it will take 15 to 20 years to see positive results

The Reserve system was put in place in 1876

- It is not the people of today who are responsible for creating today's reality, but it is we collectively, non-Aboriginal and Aboriginal, who must meet the challenges enabled by that system
- Under the Indian Act the fate of First Nations was given into the hands of the Minister and his officials- fortunately the resilience of all human beings has enabled a critical mass of First Nations to grow and prosper in spite of this system but far too many have suffered serious physical and psychological damage in this oppressive system

- The United Nations only recognized “nations” and “peoples” as being entitled to self determination. Our people were designated a race, “Indians”, and were not viewed as deserving of self determination.[1] – hence the designation “savages”
- At one time we could live off the land, even on reserves, but not today – economic development and pollution have caused untold damage to the environment in and around reserve, remote and rural communities – resource sharing and revenue sharing agreements are only now being developed
- There is no pride in welfare. A guaranteed annual income on reserves would be better than the welfare system – parents could provide the basic necessities of life for their children that would enable them to grow up in a more healthy setting
- The negative difference in socio- economic outcomes in Canada for Aboriginal Peoples has been induced purposely by legislation and policy that cannot be rationalized in a free and democratic society such as Canada

Urban Reserves are not a threat

- Vancouver and Thunder Bay have Reserves within and immediately adjacent to their boundaries – these communities are becoming thriving socio economic enclaves for their citizens
- Get aboriginal and non-aboriginal people in contact with one another to learn to work and live together
- We are not going to heal the gaping wound of segregation and marginalization with band aid solutions – we need a comprehensive plan to address age old inequities
- Getting cooperation from the 3 orders of government is difficult but not impossible – development of an effective urban Aboriginal strategy with First Nations, Metis, Inuit and urban Aboriginal leaders is the only acceptable process

There are some positive things happening

- In the 1960’s there were 2000 aboriginal people in university in Canada, now there are 60,000…but many trades have no aboriginal representation
- Aboriginal people by their nature are creative, but need opportunity
- ACW was instrumental in the building of Thunderbird House. Thunderbird house has yet to fully meet its original purpose, but it is starting to happen

[1] See also the *United Nations Declaration on the Rights of Indigenous People.* On September 13, 2007, UN member States voted was 144-4 in favour of the *UN Declaration*. Only Canada, Australia, New Zealand and the United States voted against. In April 2009, Australia announced its endorsement of the *Declaration*, and New Zealand and the United States indicated that they are in the process of reconsidering their opposing positions. Thus, Canada is increasingly isolated on the world stage**.** Source: Paul Joffe, Barrister and Solicitor, Sept. 2009, “*Global Implementation of the UN Declaration on the Rights of Indigenous Peoples – and Canada’s Increasing Isolation*

    - Youth need to embrace their spiritual and cultural needs – self identity, self-respect, and self-determination are at the core of any healthy human being
- Friendship Centers – since 1982, were formed to help First Nations, Métis and Inuit people transition to urban life, but their resources to meet the growing demand is no where near what it should be
- Centre for Aboriginal Human Resource Development Inc. (CAHRD) is a non-profit, human resource development organization that delivers Education, Training and Employment services to the urban Aboriginal population of Winnipeg.
    - CAHRD has grown from a staff of 9 to a staff of 100 today,
    - CAHRD has affected the lives of 1000's of individuals in a positive way
    - Still there is little correlation between CAHRD's capacity (human and financial resources) and numbers of individuals in need of and demanding these opportunities for education and training
- The Eagle Urban Transition Center has been developed and operated by the Assembly of Manitoba Chiefs and is an example of an off-reserve program and service agency that should be funded by Indian and Northern Affairs

ACW supports the Manitoba Police Services Act

- The justice system as a whole is not working
- An Advisory Board is good but we need effective civilian oversight that ensures WPS accountability to the community it serves
- Paramilitary police structures do not always evolve in a good way and have to have effective oversight
- The Chief of Police does not always know what is happening at the front line. A few bad employees can have a large negative impact on the public's confidence and trust in this important institution
- A police service has a high degree of comradeship that is essential to the nature of their work however it can at times enable complicit behaviour that is not in the best interest of the public - hence the call for an SIU in Winnipeg with a completely independent investigative process that does not involve anyone connected in any way to the subject department
- A systematic review of the police training curriculum is needed to ensure the information on First Nations, Metis and cultures is accurate, complete and sufficient
- Police Board must have real knowledge of First Nations, Métis and Inuit communities and issues
    - Ensuring the fair treatment of identifiable groups will also serve every citizen of Winnipeg well

What can individual police officers do?

- Cities are huge places and we need to recreate a sense of community- people need to know there local officers on a first name basis
- Larger cities can create smaller divisions to nurture a renewed sense of community…Point Douglas and Corydon Avenue are examples
- Community policing has to be happening on the ground…knowing and interacting with the public
- Relationships are critical to effective policing. Having an ongoing presence and interaction, with youth in particular

2. PRESENTATION

Merle Green, Executive Director
Nicole Everett
Mothers of Red Nations (MORN)

Ms. Green provided Board members with an information package describing the mission, activities and programs of the organization, and expressed the need for meetings between organizations such as MORN and the police board to occur on a regular basis.

Morn was established in 1999 with a mission to promote, protect and support the spiritual, emotional, physical and mental well being of all Aboriginal women and children in Manitoba; and to provide voice, representation and advocacy for Aboriginal women through spiritual, cultural, social, economic, political, educational, and recreational development.

Programs include community advocacy, counseling, employment training and urban transition services. MORN created Sisters in Spirit and has been deeply involved with the families of missing and murdered women, most of whom are aboriginal, and other issues of violence against the women of their constituency.

1.) Youth and Aboriginal Women

Why, one must ask, are a disproportionate number of aboriginal women living such a risky life style?

- Colonialism, residential schools, and the "60's scoop", among other things, have removed honor, dignity and the safety net a functional community could normally provide
- People were disconnected from their culture, community and families
- Language, culture and parenting skills suffered

The police and public have to understand the impacts of colonialism:

- WPS should have cross cultural education and awareness as part of their recruitment to lower the tolerance for racism and abuse of power in the organization
- Protocols and partnership agreements with organizations like MORN can provide police with educational resources

Exploitation of aboriginal youth

- Children as young as 13 are being exploited on the streets
    - In the north end there are community volunteers who donate time and transportation to patrol and ensure all know street people are accounted for
- WPS can help to improve policing of streets and protecting the vulnerable
    - In the wake of Robert Picton there is a mobile unit in the downtown east side of Vancouver. Something similar needs to be considered for Winnipeg

2) Urban Aboriginal Strategy (INAC)

- The City of Winnipeg has an aboriginal unit to develop programs
- Other social organizations, like Street Smart, also help to educate

3) Manitoba Integrated Task Force for Missing and Murdered Women

- Establishing the task force (RCMP/WPS) was a good step forward
- MORN has offered to assist the task force in an advisory capacity but as yet have not been approached
- The task force is still in its organizational phase
- MORN has much information and insight on missing women and their families
    - What can we all contribute to help families work through the grief
- Families find it very difficult when they cannot get enough information from police on how or if an investigation is progressing
    - There is often some initial contact but this falls off
    - WPS often do not call back on repeated requests for information
    - This type of complaint is not unique to the Winnipeg area, but is experienced by affected families in many jurisdictions
    - Families recognize that all information cannot be revealed, but some families feel they have no information at all.
- Every person and aboriginal woman should have a number of options for healing, including spiritual as well as traditional counseling
    - The spiritual approach is not acknowledged or respected by the main stream

3. GENERAL DISCUSSION

Overall Effectiveness

- Overall we have not done well in learning to deal with diverse communities
- Progress requires commitment at the highest political levels
- Justice policy is not ill intentioned, but it is not coordinated
- In 1991 Ovid Mercredi warned that if there is no major shift today, what do you think will happen in 10-15 years. Now, 18 years later look at the problems we have with youth and gangs in the aboriginal communities and Winnipeg.
- Who is making progress? BC and Saskatchewan are at the forefront. Settlement of some land claims helped government to engage better with aboriginal leadership

Persistent Under-funding

- While the Aboriginal Justice Inquiry recommendations have been embraced by the Provincial government, the resources required to successfully implementing programs have not materialized.
- Another example of the Province's tendency to not provide sufficient resources is that the Missing and Murdered women's task force has only received operational dollars not salary dollars
- There is a great need for transition homes

Aboriginal leadership and interest groups must keep governments focused

- Aboriginal leadership is also not coordinated; a coordinated approach would be more effective.
- Fractured voices are not effective.
- Advocacy by groups such as MORN is important to ensure issues and lack progress or lack of progress, are highlighted for government and the public.
- Aboriginal representation is needed at higher levels and ranks
- The problem is much broader than just the police and requires a broader solution, programs, economic and spiritual

Community Policing

- Community policing works…having police closer to the community or reserve is a positive thing. The local connection with the community is important

Domestic Violence

- Violence against women a large issue. The Native Women's Association of Canada is working on describing the situation around violence and domestic violence
- There are relatively few aboriginal women in prison compared to men, and a large portion of court time is spent on domestic assault.
- Aboriginal men initiate most domestic violence in their communities, and we need more intervention targeting male behavior
- After hours it is usually only the police that are available. Other social services or Victim Services are often not available after hours. Lavoie and Peddler reports both said that Victim Services should be in the community and available.

Exploited Women

- With regard to sexual exploitation, particularly of children, men are getting off easy. They get referred to as "Johns" when in truth they are pedophiles when children are involved.
- Its not only women who are concerned about murdered and missing women. A related group is Brothers in Spirit. They want to challenge other men who are behaving badly. They have no resources whatsoever, but support the Sisters in Spirit objectives
- In Point Douglas residents worked to displace street prostitution as it is a terrible role model for neighbourhood children. In Sweden prostitution is considered as violence against women. Paying for sex constitutes the crime, so the police focus is on the "customer" not the exploited person.
- In Manitoba the police and the justice system in general do not want to take action when the evidence of Johns "communicating" is collected by community members