



P.O. Box 1749
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Item No. 9.1.3
Board of Police Commissioners
April 24, 2017

TO: Chair and Members of Halifax Regional Board of Police Commissioners

Original signed

SUBMITTED BY:

Chief Jean-Michel Blais, Halifax Regional Police

DATE: April 19, 2017

SUBJECT: **Correspondence from Human Rights Commission on Street Checks**

ORIGIN

Letter from the Nova Scotia Human Rights Commission dated March 17, 2017 inviting the Municipality and the Regional Police to participate in a collaborative process to examine the use of street checks in response to concerns the Commission received from members of the African Nova Scotian Community.

LEGISLATIVE AUTHORITY

- **Nova Scotia Police Act Section 55 (3) (c)** which states; “The Board shall ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies”;
- Board of Police Commissioners Terms of Reference, **By-Law P-100** Respecting the Board of Police Commissioners for the Halifax Regional Municipality, section 8 (2) (c) which states: The Board in accordance with the Police Act and HRM Bylaws may in consultation with the Chief of Police, review priorities, goals and objectives of the municipal police service...”;
- Section 8 (3) (e) which states: “The Board in accordance with the Police Act and HRM Bylaws may carry out any of the following roles and responsibilities as they relate to the Provincial Police Service by requesting as required information relating to any policies, directives or practices of the RCMP on matters such as information on organizational initiatives within the RCMP...”

RECOMMENDATION

It is recommended that the Halifax Regional Municipality Board of Police Commissioners support the offer from the Nova Scotia Human Rights Commission to have the Halifax Regional Police participate in a collaborative effort to open a discussion on the use of street checks and direct staff to return with a report on the scope of the collaboration and any other details concerning an approach regarding street checks.

BACKGROUND

HRM police released street check data to the public. The initial analysis of the data indicated an over representation of the black population in the total number of checks when compared to the census demographic data of HRM. Dr. Chris Giacomantonio presented the preliminary findings of his analysis to the Board of Police Commissioners on January 9, 2017.

The Nova Scotia Human Rights Commission received a letter from individuals concerning the over representation of the black population in the recently released street check data of HRM police. The Human Rights Commission wrote HRM Legal Services, attached as Appendix A, with a suggestion for a way forward. They have suggested a collaborative approach with suggested first step being the sharing of the data collected with an independent researcher for the purpose of working with the HRP in the interpretation and understanding of the statistics gathered to date.

DISCUSSION

This issue is a topic of great interest locally and nationally. Staff believe there is value and benefit to continue to examine and understand the factors surrounding street checks more deeply. The approach offered by the Human Rights Commission is collaborative and staff believe it would contribute to an open, transparent and evidenced based approach to the matter.

FINANCIAL IMPLICATIONS

None identified at this time.

RISK CONSIDERATION

There has been no risk identified in accepting the collaborative process offered by the Human Rights Commission. Failure to accept could result in reputational risk to the organization and to a more adversarial process.

COMMUNITY ENGAGEMENT

The involvement of the Board of Police Commissioners and the Human Rights Commission provides an avenue for a broad and inclusive discussion of the issue.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

ALTERNATIVES

An alternative is to have Halifax Regional Police continue forward without the involvement of outside parties. This is not recommended.

ATTACHMENTS

Appendix A: Letter to Martin Ward, QC from Kymberly Franklin, Human Rights Commission of March 17, 2017

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Deputy Chief Bill Moore, Halifax Regional Police, 902-490-7138

Original signed

Report Approved by: _____
Martin Ward, QC HRM Legal Services 902-490-6532

Appendix A



Human Rights Commission sydney.franklin@novascotia.ca

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March 17, 2017

Via Email

Martin Ward, Q.C.
Halifax Regional Municipality Legal Services
5251 Duke Street, 3rd Fl, Duke Tower
PO Box 1749
Halifax, NS B3J 3A5

Dear Mr. Ward:

Re: Halifax Regional Police, Statistics/Street Checks

I write in follow up to our conversation of yesterday's date and in follow up to the letter submitted to the Commission and SiRT from, Michelle Williams, Robert Wright and Shawna Hoyte respecting their call for action against "street checks". In addition, the statistics Halifax Regional Police has collected on the issue and reported.

The Commission has met with the Police Complaints Commissioner, Judith McPhee and Ron MacDonald from SiRT. It appears SiRT does not have jurisdiction or the mandate to deal with the concerns raised by the community representatives, however they are on board to work with the Commission to assist as they have expertise in policing affairs.

As an initial step in a developing process, it has been suggested that the statistics collected by HRP be shared with a third-party expert that both HRP/HRM and the community representatives can agree on, with the view they would be examined by a visibly independent third party. We would like to see this relationship as one which would work with Mr. Giacomantonio in the interpretation and understanding of the statistics gathered to date.

Since at least some of the concerns raised in the letter mentioned above do fall under the purview of the Commission we would like to take a more collaborative and informed approach. The Commission would assist as well to facilitate and guide exchanges of information.

The goal of this collaboration moving forward would be to understand and address the concerns of each respective party without making it an adversarial process, thus ultimately reaching a solution in a more effective manner. It would also assist in developing trust between all parties involved including the community to allow an independent third party to review the statistics.

If you could kindly consult with your clients to see if this is acceptable, that would be great. Christine Hanson, the CEO here at the Commission and I would be more than happy to meet with your client should they wish to discuss in further detail.

Thank you and I look forward to your reply.

Yours sincerely,

Original signed

Kymberly Franklin
Senior Legal Counsel

cc, client