

Re: Item No. 8.1
Board of Police Commissioners
January 17, 2022
February 28, 2022

Defunding the Police: Defining the Way Forward for HRM

Presentation to the Halifax Board of Police
Commissioners

January 17, 2022

“I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. And some of you have come from areas where your quest -- quest for freedom left you battered by the storms of persecution and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.”

Martin Luther King Jr. Day

Acknowledgements

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Overview

- ▶ This report is the result of community labour, shaped by many hours of consultation, research, and engagement.
- ▶ These principles of community are the foundations of this report. “Defunding” as a concept and practice is grounded in returning power to communities.
- ▶ Defunding is 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.

Chapter Summaries

- ▶ 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.
- ▶ 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 HRM exceeds many other cities' spending, and discuss how the police spend their time based on data they provided us and from Statistics Canada.

Chapter Summaries

- ▶ 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 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 Summaries

- ▶ 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 Summaries

- ▶ 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 Summaries

- ▶ 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.
- ▶ 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 Summaries

- ▶ 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.
- ▶ 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 Summaries

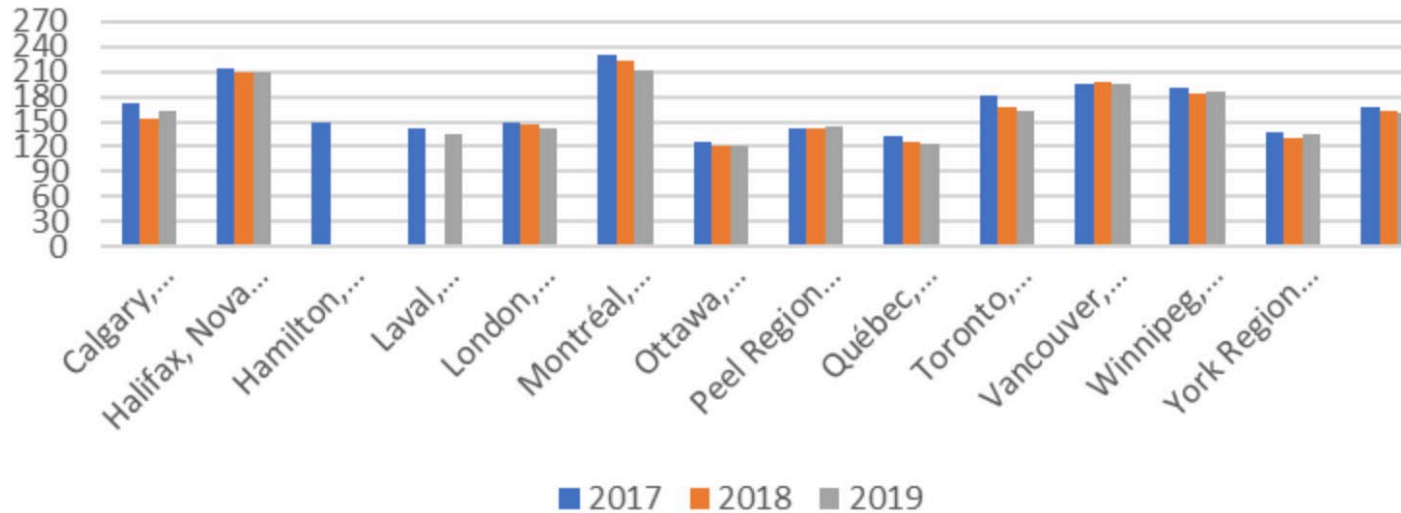
- ▶ In **Chapter 7**, we focus our recommendations to go beyond policing and towards broader social reforms. We focus primarily on mental health and substance use services, affordable housing, and promoting public engagement in municipal budgeting.
 - ▶ We recommend that the HRM convene a working group 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.

- ▶ Between the HRP and the RCMP, the municipality collectively spent \$127.4 million on policing in fiscal year 2019/20. 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.
- ▶ For comparison, in 2017/18, Ottawa spent \$334 per capita, Toronto spent \$383, and Victoria spent \$465 per capita.

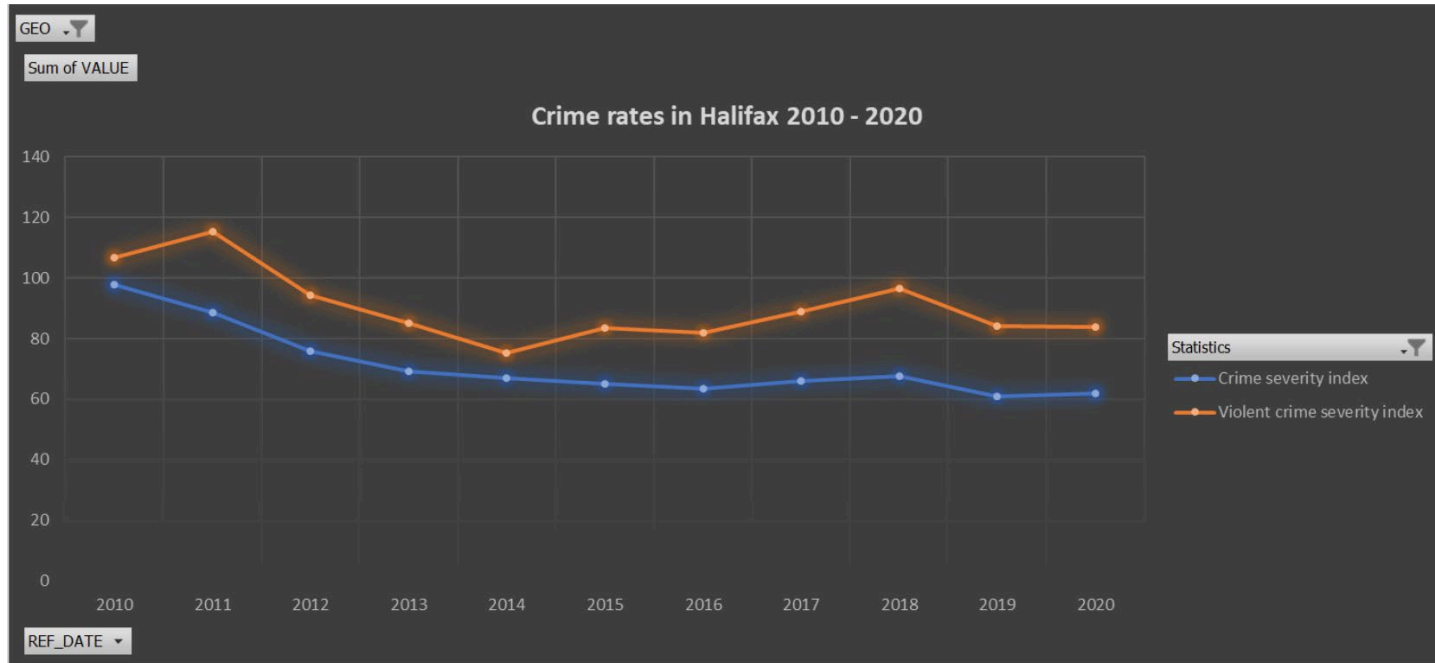
Halifax Policing Budget

Previous attachment

Police officers per 100,000 population 2017-2019

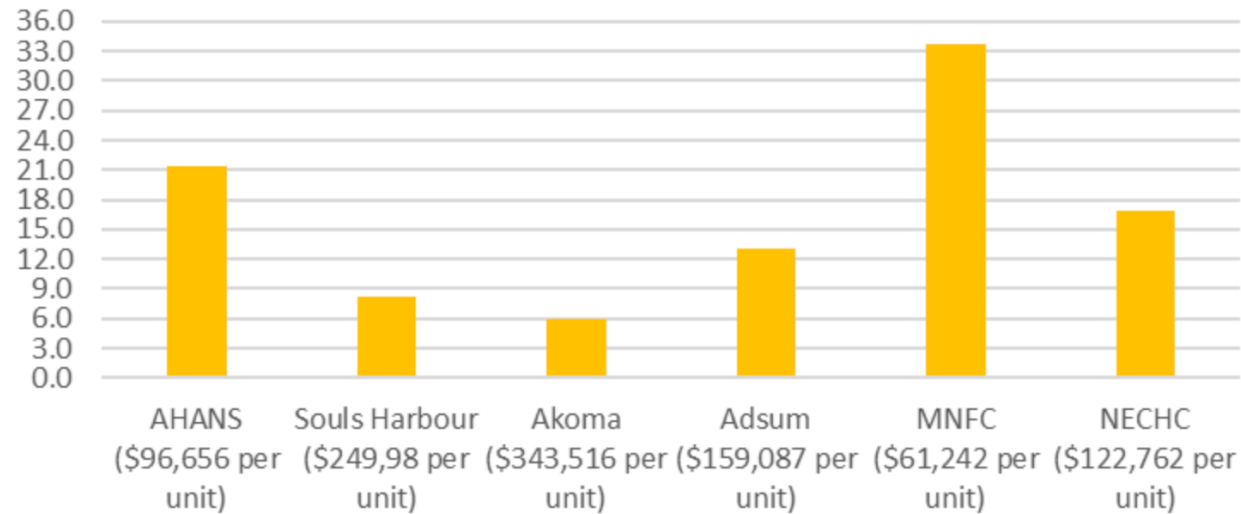


Spending on Policing: a Snapshot



Spending on Policing: a Snapshot

Total number of units / rooms that could be built for amount of HRP proposed budget increase (\$2,066,100) based on RHI proposals



Spending on Policing: a Snapshot

- ▶ • 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.

Public Engagement

Survey Results

- ▶ ”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 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

The Four Pillars of Defunding

Pillar	Pillar	Pillar	Pillar
<p>Pillar #1:</p> <ul style="list-style-type: none">• Reforms to police practices, oversight, and accountability;	<p>Pillar #2 :</p> <ul style="list-style-type: none">• Reforms aimed at “detasking” police and “retasking” more appropriate community service providers;	<p>Pillar #3:</p> <ul style="list-style-type: none">• Legislative, regulatory, and policy reforms intended to promote community safety; and	<p>Pillar #4 :</p> <ul style="list-style-type: none">• Financial reforms aimed at tying police budgets to clear performance metrics and encouraging public participation in municipal budgeting.

The Four Pillars of Defunding

- ▶ 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.
- ▶ 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 Five: Reforms to police practice, oversight, and accountability

- ▶ 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.
- ▶ Both fatal and non-fatal shootings have increased in Canada over the past decade. 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.

Chapter Five: Reforms to police practice, oversight, and accountability

- ▶ 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*.

Chapter Five: Reforms to police practice, oversight, and accountability

- ▶ **Recommendation 2:** The Police Board should conduct research and consultation with community members, subject matter experts, and other relevant stakeholders to examine opportunities for:
 - ▶ disarming certain officers, such as community response officers; and
 - ▶ minimizing the use of firearms by police generally.
- ▶ **Recommendation 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.
- ▶ **Recommendation 12:** The Police Board should reject any additional funding requests in relation to body-worn cameras from the HRP or RCMP.

Chapter Six: Detasking

- ▶ “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 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.
- ▶ 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.

Chapter Six: Detasking

- ▶ 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.

Chapter Six: Mental Health Crisis

- ▶ Mental health crisis response is a key area for detasking.
- ▶ One in three Canadians experience mental health issues or illness annually. It is the leading cause of disability in Canada.
- ▶ Rates of mental health illness and issues are higher among racialized populations, people living in poverty, members of the 2SLGBTQIA+ community, and women.
- ▶ 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

Chapter Six: Mental Health Crisis

- ▶ 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.
- ▶ 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.
- ▶ In his presentation to the Subcommittee, Dr. Jamie Livingston recommended that mental health crisis response systems only involve police when a level of danger or criminal activity warrants their involvement.

Chapter Six: Mental Health Crisis

- ▶ 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.
- ▶ **Recommendation 16:** 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.

Chapter Seven: Social Reforms

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

Chapter Seven: Decriminalization of Substance Use

- ▶ Decriminalization represents a range of policy actions to reduce the harms associated with drug use. 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.
- ▶ 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.

Chapter Seven: Decriminalization of Substance Use

- ▶ 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. 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.
- ▶ 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.

Chapter Seven: Decriminalization of Substance Use

- ▶ **Recommendation 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.

Chapter Seven: Affordable Housing

- ▶ 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. 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.
- ▶ 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.
- ▶ **Recommendation 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.

Chapter Seven: Social Reforms

- ▶ 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.
- ▶ 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.

Chapter Seven: Financial Reforms

- ▶ 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.
- ▶ 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.
- ▶ **Recommendation 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).

Chapter Seven: 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. 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.
- ▶ 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.

Chapter Seven: Participatory Budgeting

- ▶ **Recommendation 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:
 - ▶ geographic area (e.g., district-level, a combination of districts, or the entire municipality);
 - ▶ subject matter area (e.g., mental health and substance use, traffic safety, affordable housing);
 - ▶ community-specific (e.g., African Nova Scotians, Indigenous communities, and 2SLGBTQIA+ communities); and
 - ▶ any combination of the above.