

Information Item No. 3
Board of Police Commissioners
July 12, 2023
August 2, 2023



INFORMATION REPORT

TO: The Halifax Board of Police Commissioners

FROM: Chief Dan Kinsella

DATE: April 26, 2023

SUBJECT: Update on police-specific implementation of Dr. Timothy Bryan's Report on development of a framework for race-based police data collection in Nova Scotia

Background:

On March 27, 2019, the Nova Scotia Human Rights Commission released the Halifax, Nova Scotia: Street Checks Report, commonly known as the Wortley Report. The report contained five recommendations in relation to data collection on police stops.

Recommendation 3.1 called for the establishment of a committee to oversee this work. The Nova Scotia Department of Justice (DOJ) established the Wortley Report Research Committee (WRRC) in response to this recommendation. The committee consists of law enforcement, government and community representatives and is chaired by Deputy Chief Don MacLean of Halifax Regional Police and Kimberly Franklin of the Nova Scotia Human Rights Commission.

Part of the WRRC's mandate is to:

- (1) develop a research and evaluation plan, with recommendations, to guide the collection of race-based data for police stops in Nova Scotia; and
- (2) determine next steps to advance implementation of the model.

This information report provides a status update on the above-mentioned mandate of WRCC as it related to the role HRP and other police services.

Discussion:

Engagement of Dr Timothy Bryan:

The WRCC engaged Dr. Timothy Bryan, Assistant Professor in the Sociology Department at the University of Toronto, to prepare a report and recommendations on behalf of the WRRC. The WRRC released its report, titled *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova*

Scotia on September 1, 2022. (Bryan Report: Recommendations on Collecting Race-based Police Data | Nova Scotia Human Rights Commission)

The report outlines 28 recommendations to guide the development of a race-based data collection model for police stops that fall under the following six categories: policy development; training, compliance, and monitoring; communication; data analysis; evaluation; and resources. Such a model would allow for the evaluation of policies and practices, and enhanced transparency and accountability through the public release of data. The report and recommendations align with Nova Scotia's *Minister's Directive – Street Checks Ban*.

The WRRC established a subcommittee composed of representatives from community, police and government, with the addition of police data subject matter experts from across the province to support and facilitate the development of the race-based data collection model.

The key deliverables and timeline associated with this work are appended to this report in *Appendix: Wortley Report Research Committee's (WRCC) Subcommittee on Race-Based Data Collection - Terms of Reference*.

Halifax Regional Police's support and role:

Halifax Regional Police (HRP) has assumed a direct role in supporting and advancing the work to establish a race-based data collection model in Nova Scotia. HRP Deputy Chief Don MacLean co-chairs the WRCC. Further, he and Gursharan Singh, Manager of the HRP Strategic Technology Integration Unit, are members of the WRCC sub-committee on Race-Based Data Collection.

Of the 28 recommendations outlined in the Bryan Report, the following will directly involve Halifax Regional Police. It is important to note that the development of the and the ultimate implementation will be governed by the WRCC and will be coordinated at the Department of Justice level with individual roles required to be fulfilled by the various stakeholder groups, including police.

1 Policy Development

1.1 The collection of race-based data for police stops, as defined in this report, should be mandated by the Department of Justice for all law enforcement agencies in Nova Scotia. Furthermore, law enforcement agencies, led by the Department of Justice, should establish procedures for the collection, analysis and public reporting of data.

1.2 Racial identification should initially be based on officer perceptions. The Department of Justice, in concert with law enforcement agencies, should work with relevant community stakeholders, government bodies, and subject matter experts to devise a plan to include racial self-identification data. Where possible (and if relevant), the framework used to devise racial identification categories should align with categories used by national and provincial government bodies in order to standardize (as much as possible) how racial identity is recorded.

1.3 In addition to recording racial identification, other pertinent information pertaining to a police stop as outlined in recommendation 3.2 of the Wortley Report should be recorded where applicable. These include the date of the stop, the time of the stop, the location of the stop, the reason for the stop, the outcome of the stop, and whether the person or vehicle was searched by the police.

1.4 In developing these procedures, the Department of Justice and law enforcement agencies should consult relevant subject matter experts to devise procedures for how officers will collect and input race-based data that is specific to police records management systems currently employed by police in Nova Scotia. These procedures should be developed with an aim toward consistency of practice to enable effective cross comparisons between jurisdictions in different areas of the province.

1.5 Prior to the implementation of the race-based data collection system, a detailed evaluation plan that examines the specific data collection methods that have been implemented, compliance, data analysis, public release of data, community reception and the availability of resources to maintain and enhance race-based data collection, should be established in order to ensure the initiative is conducted effectively and meets its stated purpose.

1.6 All policy and practice relating to the collection of race-based data must align with the Minister's Directive – Street Checks Ban effective December 1st, 2021.

2 Training, Compliance, and Monitoring

2.1 Training programs should be developed for all officers on the accurate collection and recording of race-based data and proper entry of the data into records management systems. Training programs should also reinforce the purpose of the data collection initiative.

2.2 Training should be updated regularly in light of emerging best practice, other relevant changes to law enforcement operations, and to ensure that it is current, relevant and effective.

2.3 Training should be devised to reflect the unique community and law enforcement contexts that define policing in Nova Scotia, including the unique concerns/perspectives of communities about policing in the province.

2.4 Training should be conducted in a manner that reinforces and expands upon police training on human rights, racism, race relations, racial profiling, and unconscious/implicit bias. Law enforcement agencies should enhance and/or introduce training related to human rights, racism, race relations, racial profiling, and unconscious/implicit bias in order to ensure that the aim of this initiative is understood within the broader commitment to bias-free policing.

2.5 Measures should be devised to ensure compliance with race-based data collection policy and relevant procedure(s). In doing so, the Department of Justice along with each law enforcement agency should establish a clear organizational structure that identifies levels of responsibility for maintaining the policy and ensuring it is effectively implemented.

2.6 Training programs should align with the Minister's Directive – Street Checks Ban effective December 1st, 2021.

3 Communication

3.2 Communication strategies should be devised to communicate the purpose and desired outcomes to frontline and senior law enforcement officers to ensure buy-in at all levels. This includes communicating that collection of this data is not to be used as a measure of officer performance but rather as a tool to identify vulnerabilities and address inequities in practice.

4 Data Analysis

4.3 The Department of Justice and law enforcement agencies should establish internal procedures to review findings of race-based data analysis and establish action plans to adjust policy and/or practice to enhance law enforcement practice.

5 Evaluation

5.1 The Department of Justice, in collaboration with relevant stakeholders, must develop and implement a detailed plan for evaluating all aspects of the race-based data collection system.

6 Resources

6.1 The Department of Justice and law enforcement agencies should ensure that monetary, human, and other resources required to effectively implement and maintain the race-based data collection system, is continuously available and easy to access.

6.2 The Department of Justice and law enforcement agencies should devote monetary, human, and other resources required to expand current police training and initiatives related to human rights, racism, race relations, racial profiling, unconscious/implicit bias and community relations in order to improve understanding of the race-based data collection system.

6.3 The Department of Justice and law enforcement agencies should ensure that monetary, human, and other resources required to advance research on race-based data collection and research related to human rights, racism, race relations, racial profiling, unconscious/implicit bias and community relations is made available on an ongoing basis to researchers, experts, and other relevant organizations.

Appendix: Wortley Report Research Committee's (WRCC) Subcommittee on Race-Based Data Collection - Terms of Reference (being shared with permission of WRCC Co-Chair)

WORTLEY REPORT RESEARCH COMMITTEE'S (WRRC'S)
SUBCOMMITTEE ON RACE-BASED DATA COLLECTION

TERMS OF REFERENCE

BACKGROUND & CONTEXT

The Wortley Report Research Committee (WRRC) was formed in September 2020 in response to recommendation 3.1 in the *Halifax, Nova Scotia: Street Checks Report* (the “Wortley Report”) issued March 27, 2019.

The Wortley Report shows that every year between 2006 and 2017, Black Nova Scotians were 5-6 times more likely to appear in street check statistics than their representation in the general population would predict, Black men were 9.2 times more likely, and young Black men 15-24 years were 20 times more likely to appear in the street check dataset.

The Minister of Justice announced a permanent ban on the practice of street checks on October 18, 2019. With the release of the *Minister's Directive – Street Checks Ban*, effective December 1, 2021, the Province strengthened the ban on street checks to provide clearer direction to police and ensure no Nova Scotian is subjected to the practice.

Part of the WRRC's mandate was to:

- (1) develop a research and evaluation plan, with recommendations, to guide the collection of race-based data for police stops in Nova Scotia; and
- (2) determine next steps to advance implementation of the model.

WRRC's Report

Dr. Timothy Bryan, Assistant Professor in the Sociology Department at the University of Toronto, prepared the report and recommendations on behalf of the WRRC. The WRRC released its report, titled *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova Scotia* on September 1, 2022. [Bryan Report: Recommendations on Collecting Race-based Police Data | Nova Scotia Human Rights Commission](#)

The report outlines 28 recommendations to guide the development of a race-based data collection model for police stops that fall under the following six categories: policy development; training, compliance, and monitoring; communication; data analysis; evaluation; and resources. Such a model would allow for the evaluation of policies and practices, and enhanced transparency and accountability through the public release of data. The report and recommendations align with Nova Scotia's *Minister's Directive – Street Checks Ban*.

Key Recommended Next Steps

The WRRC proposed the following recommended next steps to support implementation of a race-based data collection model for police stops in Nova Scotia.

- 1) The development of the race-based data collection model for police stops in Nova Scotia be guided by the recommendations outlined in Dr. Timothy Bryan's *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova Scotia: Submitted to the Wortley Report Research Committee*.
- 2) The preferred method of collection of race-based data for police stops should be electronic.
- 3) The Nova Scotia Department of Justice (NSDOJ) representatives on the WRRC, in consultation with the Committee's police representatives, conduct a provincial scan of police agencies in Nova Scotia to determine: what data collection system they use; if their system could be adapted to collect race-based data; what capacity exists within each agency to adapt their system; what would be the estimated cost of such an adaptation; and if the agency has the resources to contribute to, or cover, that cost.
 - A. The WRRC review the results of the provincial scan to determine the following: if current systems can be adapted to support consistent collection of race-based data across the province, or if a new system needs to be developed; the capacity of existing agencies to adapt their systems; the estimated cost associated with the adaptation; and what financial resources exist within each agency to cover the cost.
- 4) A subcommittee of the WRRC (composed of representatives from community, police, and government, with the addition of police data subject matter experts from across the province) be established to determine, and support the execution of, critical next steps to facilitate the development of the race-based data collection model based on the results of the provincial scan.
- 5) The identification of race-based identifiers be informed by the work of the Province's Office of Equity and Anti-Racism Initiatives and the Department of Health and Wellness' work (in relation to the Canadian Institute for Health Information (CIHI) proposed national standard for race-based and Indigenous identity data collection and health reporting in Canada). The creation of a framework for race-based data collection should be to address systemic racism and to support the promotion of racial equity. As such, the RCMP should be consulted, and collaboration should be sought as the RCMP is also working with Statistics Canada and the Canadian Association of Chiefs of Police on a race and identity-based data collection strategy for this purpose. Effectively, the collective goal is for accountability and the promotion of public trust, therefore the coordination of efforts is needed to ensure transparency and standardization where possible.

RATIONALE & PURPOSE

In accordance with recommended next steps #3 and #4, to support the development and implementation of a race-based data collection model for police stops in Nova Scotia, the WRRC's Subcommittee on Race-Based Data Collection (the "WRRC's Subcommittee") will be formed in March 2023. The overall purpose of the WRRC's Subcommittee is to determine, and support the execution of, critical next steps to facilitate the development and implementation of the race-based data collection model based on the results of a provincial scan of Nova Scotia's police agencies' records management systems.

MANDATE & RESPONSIBILITIES

The mandate of the WRRC's Subcommittee is to advance development and implementation of the race-based data collection model for police stops in Nova Scotia. Accordingly, the Subcommittee is tasked with the following:

- working collaboratively and sharing information and expertise;
- examining the results of the provincial scan of Nova Scotia's police agencies' records management systems to inform the development of a proposed model for race-based data collection for police stops;
- examining recommendations 1.2, 1.3, 1.4, 1.5, and 1.6, in the WRRC's *Final Report and Recommendations on the Collection of Race-Based Police Data in Nova Scotia* as these recommendations have direct implications for the development of the race-based data collection model (see Appendix A);
- identifying the specific racial identity categories that will be utilized to collect race-based data and ensure alignment with Nova Scotia's and national initiatives on race-based data collection;
- recommending a proposed model for the collection of race-based data for police stops in Nova Scotia;
- ensuring the race-based data collection model is reflective of best and/or promising practices in the area of data collection on police stops;
- identifying the critical next steps to facilitate the implementation of the race-based data collection model including, but not limited to, contracting technical experts if required (to develop business requirements documentation and a project plan to implement the changes) and undertaking system changes or development to enable police to capture race-based data; and
- recommending technical experts to undertake the system changes or development.

KEY DELIVERABLES AND ANTICIPATED TIMEFRAME

The WRRC's Subcommittee is responsible for Phase 1 and Phase 2:

Phase 1 – Research (April – June 2023)

- ***examine the results of the provincial scan*** of Nova Scotia's police agencies' records management systems to inform the development of a proposed model for race-based data collection for police stops;
- ***identify the specific racial identity categories that will be utilized to collect race-based data*** and ensure alignment with Nova Scotia's and national initiatives on race-based data collection;
- ***recommend to the WRRC a proposed model for the collection of race-based data on police stops in Nova Scotia, including the data elements to be collected and the procedures to follow by police***

- officers in the collection and reporting of the data, and the subsequent provision of data to an independent third party by police agencies for analysis purposes; and*
- **identify the critical next steps to facilitate the implementation of the race-based data collection model** including, but not limited to, contracting technical experts if required (to develop business requirements documentation and a project plan to implement the changes) and undertaking system changes to enable police to capture race-based data, **and submit this to the WRRC**. The Subcommittee will also recommend to the WRRC technical experts to undertake the system changes or development.

Phase 2 – Oversee system implementation plan and changes (July – November 2023)

- **oversee system implementation plan** by providing advice to the technical expert(s) responsible for developing business requirements documentation and a project plan to implement the changes; and
- **oversee system changes** by reviewing regular reports on progress provided by the technical expert(s).

Phase 3 – Training (December 2023 – March 2024)

- The development and delivery of online training on the system changes related to race-based data collection.

Phase 4 – Evaluation (October – December 2024)

- It is anticipated that the system would be launched, and all police agencies trained by April 1, 2024. An evaluation of the system would be undertaken 6 months after that date, beginning in October 2024 and concluding in December 2024 with system adjustments as may be required.

The race-based data collection model must be reflective of evidenced-based research and/or promising practices in the area data collection on police stops, and first-voice perspectives.

REPORTING STRUCTURE

The WRRC's Subcommittee reports to the Wortley Report Research Committee. The Subcommittee will:

- recommend to the WRRC a proposed model for the collection of race-based data on police stops in Nova Scotia;
- identify the critical next steps to facilitate the implementation of the race-based data collection model and submit this to the WRRC; and
- provide regular updates to the WRRC about the system implementation plan and changes.

Prior to the start of Phase 2 of the Subcommittee's work, the WRRC is responsible for submitting the outline of the proposed model and critical next steps to facilitate the implementation of the model to the Minister of Justice for review and consideration.

GUIDING PRINCIPLES

The WRRC's Subcommittee agrees to adhere to the following guiding principles as it undertakes its work.

Acknowledgement of harm – Acknowledge that street checks have had a disproportionate impact on African Nova Scotians, and this has caused harm to the community.

Trust and respect – Develop relationships built on trust and respect demonstrated, in part, through transparency and a collective commitment to listen to different perspectives and find common ground.

Collaboration – Work collaboratively to help ensure that the perspectives of various stakeholders at the table are reflected in the work.

Informed by research and first-voice perspectives – Ensure that the race-based data collection model is informed by evidenced-based research and/or promising practices in the area of data collection on police stops, and first-voice perspectives.

Reflect a Shared understanding of the importance of collecting race-based data – Acknowledge the importance of collecting race-based data to help ensure transparency and continued monitoring and evaluation of policies and procedures. In addition, any data shared for the purpose of monitoring, research, and public accountability must be de-identified (i.e., the data must not reflect any identifying personal information).

MEMBERSHIP

The WRRC's Subcommittee is composed of representatives from community, police, and government, with the addition of police data subject matter experts, and an academic researcher.

The Committee will be Chaired/Co-Chaired by....

NAME	TITLE	ASSOCIATION
COMMUNITY		
Joe Parris	Community Representative (Cape Breton Region)	N/A
POLICE		
Don MacLean	Deputy Chief	Halifax Regional Police
Robert Walsh	Chief	Cape Breton Regional Police
Dave MacNeil	Chief	Truro Police Service
GOVERNMENT		
Margaret Ann Bruhier	Senior Policy Analyst	Department of Justice – Policy and Information Management (PIM) Division
Gavin Naime	Policing and Public Safety Advisor	Department of Justice – Public Safety and Security (PSS) Division
Gary Robitaille	Director, Justice and Housing Portfolio	Department of Service Nova Scotia and Internal Services – Nova Scotia Digital Service
Kymberly Franklin	Solicitor	Nova Scotia Human Rights Commission

NAME	TITLE	ASSOCIATION
POLICE DATA SUBJECT MATTER EXPERTS		
Gursharan Singh	Manager, Strategic Technology Integration Unit	Halifax Regional Police
Blaze MacLean	Technology	Cape Breton Regional Police
TBD		
ACADEMIC RESEARCHER		
Dr. Timothy Bryan	Assistant Professor Research consultant to the WRRC's Subcommittee	University of Toronto – Department of Sociology
NOVA SCOTIA ASSOCIATION OF POLICE GOVERNANCE		
Jocelyn Dorrington	Councillor	New Glasgow

COMMITTEE RESOURCES AND MEMBER RESPONSIBILITIES

Committee Resources

The Department of Justice's Policy and Information Management (PIM) Division will provide coordination and administrative support to the WRRC's Subcommittee. Accordingly, the Division will support the Subcommittee in the following ways.

Meeting preparation: Every effort will be made to share information and meeting materials in advance so that members can review materials and fully engage in discussions. During in-person meetings, printed material will be provided by PIM.

Agenda setting and issues tracking: PIM staff will prepare agendas in collaboration with the Subcommittee's membership, document meeting proceedings, and track issues.

Member Responsibilities

- Members will bring forward the concerns of their respective community and stakeholder organizations.
- Members are expected to make a commitment to work together collaboratively.
- Members are expected to make every effort to attend each meeting and provide notice when they cannot attend. Alternates must be approved by the Chair/Co-Chairs.
- If a member is absent for two consecutive meetings, does not send an alternate, and does not provide feedback about the work, in writing to the Chair/Co-Chairs, they will be removed from the Subcommittee's membership.

MEETING SCHEDULE AND FORMAT

Meetings will be held either bi-weekly or monthly, as required, to advance the work. Meetings will be held by virtual means, or in-person. In-person meetings will be held on the Halifax peninsula.

GUESTS

Guests will be invited if the Subcommittee agrees by consensus.

CONFIDENTIALITY

Subcommittee members will possess information or documentation of a confidential nature. With the exception of the Subcommittee's progress reports to the WRRC, confidential information and related discussions must not be disclosed to external stakeholders without prior discussion and approval by the Subcommittee as a whole.

APPENDIX A

Recommendation 1.2: Racial identification should initially be based on officer perceptions. The Department of Justice, in concert with law enforcement agencies, should work with relevant community stakeholders, government bodies, and subject matter experts to devise a plan to include racial self-identification data. Where possible (and if relevant), the framework used to devise racial identification categories should align with categories used by national and provincial government bodies in order to standardize (as much as possible) how racial identity is recorded.

Recommendation 1.3: In addition to recording racial identification, other pertinent information pertaining to a police stop as outlined in recommendation 3.2 of the Wortley Report should be recorded where applicable. These include the date of the stop, the time of the stop, the location of the stop, the reason for the stop, the outcome of the stop, and whether the person or vehicle was searched by the police.

Recommendation 1.4: In developing these procedures, the Department of Justice and law enforcement agencies should consult relevant subject matter experts to devise procedures for how officers will collect and input race-based data that is specific to police records management systems currently employed by police in Nova Scotia. These procedures should be developed with an aim toward consistency of practice to enable effective cross comparisons between jurisdictions in different areas of the province.

Recommendation 1.5: Prior to the implementation of the race-based data collection system, a detailed evaluation plan that examines the specific data collection methods that have been implemented, compliance, data analysis, public release of data, community reception and the availability of resources to maintain and enhance race-based data collection, should be established in order to ensure the initiative is conducted effectively and meets its stated purpose.

Recommendation 1.6: All policy and practice relating to the collection of race-based data must align with the *Minister’s Directive – Street Checks Ban* effective December 1st, 2021.