

Summary of Discussions with Delegates from the Committee's March 16, 2021 Meeting

Lyla Miklos regarding the historic and current relationship with Hamilton's Two Spirit & LGBTQIA+ communities and the Hamilton Police Service

A Committee member asked what the delegate's opinion was around why the LGBTQ Advisory Committee was struck. The delegate responded that Mayor Bob Wade was newly elected at the time after several years of service by incumbent Mayor Bob Morrow. Mayor Bob Morrow had been taken to court by the Pride committee at the time for not allowing there to be a declaration of Pride in Hamilton. Under new leadership, Mayor Bob Wade wanted to have a different relationship with the community and wanted a way to meet with the community to discuss some changes.

A Committee member asked the delegate if they had any questions for the Hamilton Police Service (HPS) that they wanted us to ask. The delegate responded that the only thing that they wanted to pass along was that members of Two Spirit and LGBTQIA+ communities cannot continue to wait for action and that the HPS already has information about how to respond after many years of meetings with members of these communities.

A Committee member asked about the raid that happened on the bathhouses in Hamilton some years back and the community uproar that happened as a result and if the delegate could provide some information about their experiences with that. How was that crisis handled vs. how the current crisis is being handled? The delegate responded that when the raid happened the Community Relations Coordinator had reached out, with other community leaders, and they had an open conversation with the police and a multi-agency task force that was involved in the incident. Since then there has not been an incident with the bathhouses as there is now a better understanding of those spaces and their importance; in comparison to the Pride 2019 incident where there was no conversation between the police and the LGBTQ community.

A Committee member asked if there was a role to be played by the Mayor and his office in trying to heal this divide at the time of these issues as there had been in the past with then-Mayor Bob Wade and his then-Chief of Staff Maureen Wilson. The delegate responded that the role of the Mayor and the Mayor's Office, at that time, was setting a tone and an example for those around him and demonstrating how others should

interact with marginalized communities and how to lift them up and support them when in crisis.

Craig Burley regarding the Pride flag raising and issues related to the Committee's interactions with the Hamilton Police Service, and to speak to the same matters requested by the HPS

A Committee member asked, based on the delegate's assertions, if they thought that the Proud Boys would have been as successful in their actions had they not received the aforementioned support from HPS. The delegate responded stating that he was not aware to what degree the organizations were integrated and that it's particularly hard to track as the Proud Boys have now started operating under a different name after being added to the Criminal Code list of terrorist entities on February 3, 2021.

Deputy Chief Frank Bergen, Chief Administrative Officer Anna Filice, LGBTQ Liaison Officer Rebecca Moran, EDI Specialist Paola Jani, and Community Relations Coordinator Jasbir Dhillon from the Hamilton Police Service

A Committee member asked when and if ever has the Hamilton Police Service (HPS) pledged to do better in our community and if it has, what steps did it take historically to receive that pledge and also asked regarding training, how will the HPS ensure that there is actual follow through on the training that will be delivered and is there going to be any discipline when that training is not followed? Deputy Chief Frank Bergen (DC Bergen) responded that there is a commitment to the EDI principles, which had predated the Bergman report. The training is mandated and given to the members, much like training within use of force and training in regard to policies and procedures. HPS holds their members accountable through the Police Services Act and standards of conduct. There is also a commitment from HPS to the Canadian Centre for Diversity and Inclusion (CCDI) to understand their membership and culture in order to participate in those conversations. Chief Administrative Officer Anna Filice (CAO Filice) responded that as part of the new EDI specialist role, one of the goals is to understand all the different pieces of training. They work with all stakeholders which will include the community, and to identify any gaps in the training and what is an appropriate delivery method. HPS is currently working on an environmental scan to understand what's being offered. The Committee member repeated their first question and DC Bergen

responded that in January 2020 they took responsibility and issued a formal apology. In terms of training, members are held accountable.

A Committee member asked about what the survey involves and who is being prioritized with that survey, whether it be people of colour or people with disabilities as historically those are the communities that are often excluded. DC Bergen responded that it was under the guidance of EDI Specialist Paola Jani and the CAO Felice. CAO Felice responded that the CCDI survey seeks to understand two things, (1) the demographics of the organization and (2) how people feel about the organization. The survey is designed by the CCDI and they assist with receiving and analyzing the data in order to keep it confidential. These responses are then used to build the EDI strategy and inform which actions are needed to better represent the community.

A Committee member stated that there was still a Pride Defender who is facing charges. It is their understanding that HPS has not recommended that these charges be dropped. The member asked if this position has changed. DC Bergen responded that the charge is still deferred by counsel. In regard to other follow ups, that becomes the jurisdiction of the Crown with respect to making decisions about whether to move forward in the public interest in regard to the charges.

A Committee member asked if there is a timeline for the rest of the recommendations to be completed. DC Bergen responded that through the Bergman report the HPS has committed to 6-month, 12-month, and 18-month timelines with respect to the 38 recommendations. HPS received the Bergman report in June 2020 and within 6 months HPS responded with an update in September 2020. In March of 2021 they will be reporting their next installment of recommendations. The timeline will be posted on the Hamilton Police Services Board minutes and through its public agenda. DC Bergen is committed to further transparency within the organization by posting information on their webpage including having a Pride recommendation page.

A Committee member stated that the leaked Office of the Independent Police Review Director (OIPRD) report, to the CBC, just prior to the release of the Bergman report sets up a contradiction between reports. The member asked which of the two reports most accurately represent what happened at Pride 2019 and how HPS explains the completely contrary findings. Do you fully accept the findings in the Bergman's independent review? DC Bergen responded that HPS is committed to working with the community and those who have been the victim of some of the actions, and lack thereof, of the service. The 38 recommendations of the Bergman report are fully embraced by the Hamilton Police Service. DC Bergen responded that the body of work

within the internal investigation spoke about adherence to operational plans, and spoke about making sure that HPS understood the deployment and response.

A Committee member asked what DC Bergen could do as Chief of Police to recommend charges be withdrawn against Pride Defenders? DC Bergen responded that with respect to criminality and the charges and the assaults, ultimately it's the Crown that will make decisions based on public interest and based on what the evidence is before them. The Committee member asked for clarification about DC Bergen's personal position on the matter. DC Bergen responded that if mistakes were made and mistakes that we have acknowledged, we have committed to a culture change, a change to make sure that we can look internally, working externally with our partners, as I suggested we recommended. We were given 38 recommendations through Scott Bergman in June of 2020, and those 38 recommendations are 100% accepted, and we are committed to doing better moving forward with respect to criminality and charges of the past are still going on with investigators and the Crown's office.

A Committee member stated that police continue to surveil communities and use safe spaces to intimidate and, in some cases, incarcerate members of LGBTQ+ communities and other oppressed communities, there's continued intimidation, including an increased police presence and constant surveillance of oppressed communities at peaceful rallies and events. This committee at our safe space Community Meeting that we hosted on June 18, 2019, three days after the violence that took place at Pride. DC Bergen was there as the senior officer present. What made you decide at that moment on June 18, three days after the violence at Pride, to recommend that a member of the Trans community have their parole revoked? And the second question, what measures have you taken to date to prevent this continued surveillance and intimidation? DC Bergen responded that he had spoken to the member on the evening of June 18. He wanted to be there and to be not surveilling but to be out in the open, of who I was and who I represented, to listen and to understand the impact that the actions of Pride had on our community. What has come out of that was a CBC report which states line by line that the Hamilton Police did not charge that member. The parole board is the one who moved forward and did what was the revocation of bail. Moving forward, we've implemented a police liaison team approach to at all events now we have police officers who are not wearing uniforms who are there to be a liaison between both sides, they're not there in a surveillance capacity but they are there and they make sure that both sides know what their role and responsibility is and their role and responsibility is to keep the peace. The Committee member asked their second question again. DC Bergen responded that the HPS has not laid charges and the parole board took what had occurred and made their own decision.

A Committee member asked what international organization that police were working with. DC Bergen responded that it was Egale Canada. The Committee member spoke about their experiences with trauma and policing. DC Bergen thanked them for their comments.

A Committee member asked what timeline they were working with to get their advisory committee up and running. The member stated that they had been involved in helping to establish the Hamilton Anti-Racism Resource Centre board and it was a lengthy process. DC Bergen responded that the approach looks at two questions about listing qualifications, experiences and understanding. That is why the HPS has delegated for tonight as they want to move forward in community consultation and ask for guidance.

A Committee member asked if any actions have been taken to address the concerns brought to the HPS by the community during meetings that took place in 2020, and many other meetings, concerns that are completely separate from Scott Berman's recommendation? DC Bergen responded that the HPS has committed to implementing online hate reporting. Other commitments that existed before the Pride report was the Internal Support Network (ISN). The ISN has done a lot of work. There has also been an understanding on the impacts of strip searching and the dignity and the respect that is required for the police to carry out these functions. There have been other opportunities to make sure that there are safe spaces within our facilities and within the community. It is important to provide opportunities for people to tell about their lived experiences, their personal experiences and the impact of policing even in the absence of being able to meet in person.

C. Kroetsch stated that what the HPS was asking of the Committee could not be accomplished in a single meeting and that the City had put in place incredibly strict measures that would not allow for a formal response today and that it would come back at a future meeting for further discussion.

Norm Schleeahn, Director, Economic Development City of Hamilton and Graeme Brown, Business Analyst, Business Development, City of Hamilton with respect to the Economic Development Action Plan

The Committee had the following comments -

- That the City look closely at the recommendations outlined by Just Recovery Hamilton and to consider the current housing crisis. Queer Hamiltonians are being pushed to the margins. How will this report address that question and how did past reports address it? The delegates responded that they wanted to draw connections between departments to address a number of pressing issues but that not all of the 61 actions in the report will be under the purview of the Economic Development division.
- That staff narrow down their requests of the Committee and provide materials in advance so that the Committee could have enough time to review them in advance and provide more specific feedback.